

Closed Caption Log, Council Meeting, 12/13/07

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Mayor Wynn: GOOD MORNING. I'M AUSTIN MAYOR WILL WYNN AND ON OUR AGENDA TODAY WE HAVE POSTED TO HAVE OUR INVOCATION BE READ LET BY PASTOR RODNEY HARGROVE FROM THE CHURCH OF THE FIRST BORN. UNFORTUNATELY, HE JUST CALLED, HE CAN'T GET HERE IN TOWN, BUT HIS GODSON, ALSO AN ORDAINED MINISTER, WILL LEAD US IN OUR INVOCATION SO PLEASE RISE.

MAY YOU PLEASE BOW YOUR HEADS. FOUR GOD, WE COME TO YOU RIGHT NOW LORD JUST ASKING YOU TO BLESS US, FATHER GOD, TO BLESS THOSE WHO HAVE THE RULE OVER US THAT THEY MAKE THE RIGHT AND CORRECT DECISIONS, FATHER GOD. WE THANK YOU FOR BLESSING US TODAY, FATHER GOD AND WE PRAY THAT EVERYTHING IN THIS MEETING GOES CORRECTLY AND IT IS DONE DECENTLY AND IN ORDER JUST LIKE YOUR WORD SAYS IN FIRST CORINTHIANS. FATHER GOD, WE ALSO PRAY THAT THINGS ARE -- ARE DONE TO THE SPEC THAT THEY ARE SUPPOSED TO BE DONE, FATHER GOD, IN YOUR HOLY NAME WE PRAY. AMEN.

Mayor Wynn: THANK YOU, BRANDON. WE HAVE BETTER AUDIO-VISUAL TODAY. THERE BEING A QUORUM PRESENT, AT THIS TIME I'LL CALL TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. IT IS THURSDAY, DECEMBER 13, 2007, APPROXIMATELY 10:17 A.M. WE ARE IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING, 301 WEST SECOND STREET. WE HAVE A HANDFUL OF CHANGES AND

CORRECTIONS TO THIS WEEK'S POSTED AGENDA. THEY ARE ONON ITEM NUMBER 10 AND 11, WE SHOULD NOTE THAT THIS POTENTIAL SERVICE EXTENSION REQUEST IS WITH WANDERING CREEK INVESTMENTS, L.P. WE SHOULD NOTE THAT ITEMS 28 AND 29 WILL BE POSTPONED TO FEBRUARY 14, 2008. ITEMS 31 AND 32 HAVE BEEN WITHDRAWN FROM THE AGENDA. ITEM 58 WE SHOULD NOTE THAT NOT ONLY COUNCILMEMBER KIM IS AN ADDITIONAL SPONSOR, BUT WE SHOULD INSERT THE WORD "BOUNDARIES." AND THEREFORE THE BOUNDARIES ARE RECOMMENDED BY THE AFRICAN-AMERICAN RESOURCE ADVISORY COMMISSION. WE SHOULD NOTE THAT ITEM NUMBER 63 WILL BE POSTPONED TO JANUARY 10th, 2008. AND ON ITEM NUMBER 128, WE SHOULD NOTE THAT I AM AN ADDITIONAL CO-SPONSOR. OUR SCHEDULE TODAY WILL BE A LITTLE DIFFERENT THAN TYPICAL. AFTER OUR CONSENT AGENDA THIS MORNING AND PERHAPS A COUPLE OF DISCUSSION ITEMS, WE WILL HAVE A MORNING BRIEFING REGARDING A PRESENTATION BY I GUESS OUR PUBLIC WORKS DEPARTMENT REGARDING PIER REVIEW AND THE WHOLE CONCEPT REGARDING THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES WHEN IT COMES TO THE WARRANTS REQUIRED FOR CERTAIN TRAFFIC DEVICES. AND NOON WE BREAK FOR OUR GENERAL CITIZENS COMMUNICATION. AT 2:00 WE HAVE OUR AFTERNOON BRIEFING. THIS WILL ACTUALLY BE A BRIEFING BY JOHN SPANNER, THE CITY'S CHIEF INTEGRITY OFFICER TALKING ABOUT HIS WORK. IN ORDER FOR US TO TAKE UP AN ITEM IN EXECUTIVE SESSION, EARLIER THIS WEEK, I GUESS MONDAY, I FOUND THE REQUIRED FORM AND SO WE WILL TECHNICALLY RECESS THE CITY COUNCIL MEETING AND CALL TO ORDER A SPECIAL CALLED MEETING OF THE CITY COUNCIL MEETING IN ORDER TO MEET ALL OUR POSTING REQUIREMENTS TO TAKE UP ONE EXECUTIVE SESSION ITEM THAT RELATES TO OUR AIRPORT. SO AFTER WE HANDLE THAT, THEN WE WILL ADJOURN THAT SPECIAL CALLED MEETING AND THEN CALL BACK TO ORDER THE CITY COUNCIL MEETING THAT WE HAD BEGUN. BY 4:00 WE'LL TAKE UP OUR ZONING MATTERS. AT 5:30, LIVE MUSIC AND PROCLAMATIONS. OUR MUSICIANS ARE THE NO SHOW PONIES SO STAY TUNED. AND THEN AT 6:00 -- HOPE THEY SHOW. AT 6:00 WE'LL HAVE OUR PUBLIC HEARINGS. COUNCIL, SO FAR A NUMBER OF ITEMS HAVE BEEN PULLED

OFF THE CONSENT AGENDA. ALL OF THE -- I BELIEVE THESE SERVICE EXTENSION REQUESTS, ITEMS 8 THROUGH 13, HAVE BEEN PULLED OFF THE CONSENT AGENDA, AND I BELIEVE THERE'S A REQUEST TO TAKE THEM UP IN CLOSED SESSION. SO ITEMS 8, 9, 10, 11, 12 AND 13 WON'T BE ON THIS MORNING'S CONSENT AGENDA. AND ALSO ITEM NUMBER 57, AN ITEM FROM COUNCIL, HAS BEEN PULLED OFF THE CONSENT AGENDA IN ORDER TO HAVE A BRIEF STAFF PRESENTATION SOMETIME THIS MORNING. ANY ADDITIONAL ITEMS TO BE PULLED OFF THE CONSENT AGENDA? AND THEN BEFORE I READ THROUGH NEW MAYORICLY, THIS WILL BE A TIME IF ANY COUNCILS WOULD LIKE TO ANNOUNCE POTENTIAL UPCOMING ITEMS ON FUTURE AGENDAS. MAYOR PRO TEM.

Dunkerley: I'D LIKE TO ASK THE STAFF TO LOOK AT BRINGING FORWARD SOME CHANGES TO OUR ORDINANCES TO ALLOW FOR A PERMIT FOR CERTAIN CONSTRUCTION ACTIVITIES TO TAKE PLACE AT NIGHT OR EARLY IN THE MORNING IN THE DOWNTOWN AREA IN ORDER TO AVOID TRAFFIC CONGESTION IN THE RUSH HOUR TRAFFIC. WE'VE HAD SOME INSTANCES OVER ON CONGRESS AND SECOND STREET, AND IF THEY CAN GO LOOK AT THESE AND BRING US SOMETHING BACK AS QUICKLY AS POSSIBLE, I THINK THAT WILL HELP WITH SOME OF OUR DOWNTOWN CONGESTION.

Mayor Wynn: THANK YOU, MAYOR PRO TEM. COUNCILMEMBER McCRACKEN.

McCracken: AND MAYOR, THE -- IN WORKING WITH THE AFFORDABLE HOUSING ADVOCACY COMMUNITY AS WELL AS THEIR NEIGHBORHOOD HOUSING DEPARTMENT AND WITH THE TRANSORIENT DEVELOPMENT TEAM, WE'RE GOING TO HAVE THE LAND USE TRANSPORTATION COMMITTEE WORK WITH ADVOCATES AND WITH OUR T.O.D. PLANNERS AND WITH OUR HOUSING STAFF ON CREATING AN ENFORCEABLE, ENACTABLE STRATEGY FOR ACHIEVING OUR 25% AFFORDABLE HOUSING GOALS IN THE TRANSORIENTED ZONES AND WE'RE GOING TO TAKE THAT UP IN FEBRUARY AND WE'RE ALREADY WORKING WITH ALL THE STAKEHOLDERS TO MAKE SURE THAT WE HAVE THAT WORK IN PLACE IN FEBRUARY. SO THAT'S COMING UP HERE IN THE

NEXT -- OVER THE COURSE OF THE NEXT SIX WEEKS.

Mayor Wynn: THANK YOU, COUNCILMEMBER.
COUNCILMEMBER KIM.

Kim: TWO THINGS THAT I AM CURRENTLY WORKING ON. THE FIRST ONE HAS TO DO WITH PEDESTRIAN CROSSWALKS IN THE DOWNTOWN AREA. I'M WORKING WITH THE D.A.A., DOWNTOWN AUSTIN ALLIANCE, ALONG WITH OTHERS TO MAKE SURE THAT WE CAN HAVE A PILOT PROGRAM TO LOOK AT PUTTING IN THE COUNTDOWN TIMERS FOR SIGNALS. THAT WAY PEOPLE WILL HAVE AN IDEA AS TO WHETHER OR NOT THEY HAVE APPROPRIATE TIME TO ENTER THE INTERSECTION AND CLEAR IT BEFORE ONCOMING TRAFFIC IS -- RESUMES. THIS IS SOMETHING PEOPLE SEE IN OTHER CITIES AND WASHINGTON, D.C. AND PORTLAND AND MANY OTHER CITIES. WE DON'T HAVE IT IN AUSTIN YET. I THINK AS WE ARE TRYING TO MAKE SURE THAT PEDESTRIAN SAFETY IS A PRIORITY AND ALSO ENCOURAGING MORE PEDESTRIAN ACTIVITY, HAVING THIS ESPECIALLY ON THE LONG CROSSWALKS POSSIBLY STARTING WITH CESAR CHAVEZ, WE CAN LOOK AT WHETHER OR NOT THIS IS SOMETHING THAT WE WANT TO START IMPLEMENTING AND PHASING IN THROUGH OUR DOWNTOWN AREA. A SECOND ITEM HAS TO DO WITH SMALL BUSINESSES AND ENCOURAGING THEM TO OPEN UP ADDITIONAL LOCATIONS IF THEY SO CHOOSE. IT IS CHALLENGING FOR SMALL BUSINESSES THAT HAVE ONLY ONE STOREFRONT AND WHERE THE BUSINESS OWNER HAS A BUSINESS MODEL WHERE HE OR SHE IS WORKING IN THE BUSINESS TO THEN GO INTO OPENING A SECOND LOCATION BECAUSE THAT REQUIRES A CHANGE IN THE PROCESSES AND ALSO BEING ABLE TO MANAGE A STORE WHERE THE OWNER IS NOT GOING TO BE THERE. AND SO WE'RE WORKING WITH OUR SMALL BUSINESS DEVELOPMENT OFFICE AND [INAUDIBLE] IS HELPING US WITH THAT. I WANT TO THANK HER FOR ALL HER EFFORTS AND ALSO FOR THE PEOPLE WHO HAVE COME TO GIVE US SOME INPUT ON THAT. STEVE SIMMONS OF AMY'S ICE CREAM AS WELL AS PAUL OF RUNT RUNTEX AND ENCOURAGE THEM TO STAY IN AUSTIN AND FILL OUT OUR EXPANDED RETAIL AREAS WITH SMALL, INDEPENDENT, LOCAL BUSINESSES.

Mayor Wynn: COUNCILMEMBER LEFFINGWELL.

Leffingwell: MAYOR, BEGINNING NEXT MONTH, WE'RE GOING TO HAVE A SERIES OF TOWN HALL MEETINGS. THE FIRST OF WHICH WILL BE HERE IN COUNCIL CHAMBERS. AND SET UP FOUR SUBSEQUENT MEETINGS AROUND THE FOUR CORNERS OF THE CITY TO DEAL WITH OUR -- TO GET CITIZEN INPUT ON OUR OPEN GOVERNMENT ONLINE INITIATIVE, WHICH IS A REDESIGN -- IN-HOUSE REDESIGN OF OUR CITY'S WEBSITE. OVER THE COURSE OF THE NEXT YEAR, WE'LL BE GATHERING INPUT AND WE ANNOUNCED THIS LAST MONTH, AND THIS IS IN RESPONSE TO CONCERNS, OF COURSE, ABOUT MAKING OUR GOVERNMENT MORE ACCESSIBLE AND MORE AVAILABLE TO ANYBODY IN THE CITY OF AUSTIN. SO AGAIN, FIRST MEETING WILL BE IN LATE JANUARY IN COUNCIL CHAMBERS AND THEN FOUR MORE MEETINGS AFTER THAT.

Mayor Wynn: THANK YOU, COUNCILMEMBER. AGAIN, FURTHER POTENTIAL FUTURE ITEMS BEFORE COUNCIL? THANK YOU ALL VERY MUCH. SO WITH THAT, I WILL READ OUR PROPOSED CONSENT AGENDA THIS MORNING. IT WILL BE TO APPROVE ITEM NUMBER 1, MINUTES FROM OUR LAST MEETING. FROM AUSTIN ENERGY TO APPROVE ITEMS 2, 3, 4 AND 5. FROM OUR WATER UTILITY TO APPROVE ITEMS 6 AND 7. FROM OUR CITY CLERK'S OFFICE APPROVING ITEM NUMBER 14. FROM OUR COMMUNICATIONS AND TECHNOLOGY MANAGEMENT DEPARTMENT APPROVING ITEM 15. FROM OUR ECONOMIC GROWTH AND REDEVELOPMENT SERVICES DEPARTMENT APPROVING ITEMS 16, 17 AND 18. FROM OUR GOVERNMENT RELATIONS DEPARTMENT APPROVING ITEMS 19. FROM OUR HEALTH AND HUMAN SERVICES DEPARTMENT APPROVING ITEMS 20, 21, 22, 23, 24, 25 AND 26. FROM OUR NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT APPROVING ITEM 27. AS PART OF OUR CONSENT AGENDA WE'LL BE POSTPONING ITEMS 28 AND 29. TO FEBRUARY 14th, 2008. WE'LL BE APPROVING ITEM 30. WE'LL BE NOTING THAT ITEMS 31 AND 32 HAVE BEEN WITHDRAWN. FROM OUR POLICE DEPARTMENT WE'LL BE APPROVING ITEM 33. FROM OUR PUBLIC WORKS DEPARTMENT WE'LL BE APPROVING ITEMS 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 AND 45. FROM OUR PURCHASING OFFICE WE'LL BE APPROVING ITEMS 46, 47, 48, 49, 50 AND 51. FROM

OUR WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT WE'LL BE APPROVING ITEMS 52 AND 53. OUR ITEMS FROM COUNCIL WE'LL BE APPROVING ITEM 54 WHICH ARE NOMINATIONS TO OUR BOARD AND COMMISSIONS, AND THEY ARE AS FOLLOWS: TO OUR ANIMAL ADVISORY COMMISSION CAROL ADAMS IS THE MAYOR PRO TEM'S NOMINEE. TO THE AUSTIN MUSIC COMMISSION PAUL OVAAC HE. SORRY IF I MISPRONOUNCED THAT, PAUL. IS COUNCILMEMBER LEFFINGWELL'S NOMINATION. TO OUR CONSTRUCTION ADVISORY COMMITTEE, EDDIE HURST JR. IS COUNCILMEMBER McCRACKEN'S NOMINEE. AND MARTIN PRIACIN IS COUNCILMEMBER KIM'S NOMINEE. CARL RICHIE, JR. IS MY NOMINEE FOR THE HOUSING AUTHORITY FOR THE CITY. AND TO OUR SOLID WASTE ADVISORY COMMISSION J.D. PORTER IS COUNCILMEMBER KIM'S NOMINEE. REGARDING APPOINTMENTS TO INTERGOVERNMENTAL BODIES, PURSUANT TO A CERTAIN RESOLUTION, THE COUNCIL REMOVES COUNCILMEMBER MARTINEZ FROM THE CITY OF AUSTIN AISD JOINT SUBCOMMITTEE AND APPOINTS COUNCILMEMBER KIM TO THAT SAME POSITION. THAT'S ITEM NUMBER 54 ON OUR CONSENT AGENDA. WE'LL ALSO BE APPROVING ITEMS 55, 56, 58 PER CHANGES AND CORRECTION, 59, 60, 61, 62. WE'LL BE POSTPONING ITEM 63. TO JANUARY 10th, 2008. WE'LL ALSO BE APPROVING ITEM 64 AND 65. WE'LL BE SETTING THE PUBLIC HEARING BY APPROVING ITEMS 66, 67, 68, 69, 70 AND 71. AND WE'LL BE APPROVING THE ADDENDUM ITEM NUMBER 128 PER CHANGES AND CORRECTION. SO I'LL ENTERTAIN A MOTION ON THE PROPOSED CONSENT AGENDA.

MOVE APPROVAL.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER McCRACKEN SECONDED BY COUNCILMEMBER KIM TO APPROVE THE CONSENT AGENDA AS READ. COMMENTS? COUNCILMEMBER COLE.

Cole: ITEM NUMBER 60, THIS IS THE ITEM WHERE WE'RE LOOKING AT THE PROCEEDS FROM THE CHILDREN'S MUSEUM, THE APPROXIMATELY \$5 MILLION IN THE ALLOCATION FOR SOME OF OUR DOWNTOWN TRAILS. I BELIEVE THE COUNCIL HAS MADE A DETERMINATION THAT THIS FUNDING SHOULD REMAIN DOWNTOWN AND THAT

PARTICULAR TRAILS, WALLER CREEK TRAIL, THE RIVERSIDE BOARDWALK AND SHOAL CREEK DESERVE FUNDING. WE HAVE ALLOCATED 1,237,500,000 FOR WALLER CREEK TUNNEL. FOR SHOAL CREEK A MILLION 237,500 AND FOR THE RIVERSIDE BOARD WALK \$2,475,000 MAKING A ALLOCATION OF 25% FOR WALLER CREEK, 25% FOR SHOAL CREEK AND 50% FOR THE RIVERSIDE BOARDWALK PROJECT.

Mayor Wynn: SO COUNCILMEMBER McCracken, AS THE MAKER OF THE MOTION, DO YOU CONSIDER THAT A FRIENDLY AMENDMENT?

McCracken: YES.

Mayor Wynn: WE HAVE AN AMENDED CONSENT AGENDA. COMMENTS ON THE AMENDED CONSENT AGENDA? COUNCILMEMBER KIM.

Kim: I'D LIKE TO HIGHLIGHT SOME IMPORTANT ITEMS THE COUNCIL IS PASSING THIS MORNING. ITEMS 20 THROUGH 26 ARE CONTRACTS AND CONTRACT EXTENSIONS FOR MANY OF OUR SOCIAL SERVICE AGENCIES THAT PROVIDE BASIC NEEDS SERVICES FOR OUR COMMUNITY. AND SO I'M PLEASED THAT WE'LL BE SUPPORTING OVER 40 OF THESE CRUCIAL AGENCIES INCLUDING THE CAPITAL AREA FOOD BANK, CARITAS, MEALS ON WHEELS, TRAVIS COUNTY DOMESTIC VYE VIOLENCE, COMMUNITY PARTNERSHIP FOR THE HOMELESS AND CHILD INC AMONG OTHERS. THEY PROVIDE HEALTH CARE, FOOD AND HOUSING AND I WOULD LIKE TO THANK THEM AND ALSO OUR STAFF FOR PUTTING ALL THESE CONTRACTS TOGETHER FOR OUR APPROVAL TODAY.

Mayor Wynn: COUNCILMEMBER McCracken.

McCracken: MAYOR, FIRSTLY, WE ARE -- WE HAVE ITEM 63 WHICH WE'RE POSTPONING UNTIL JANUARY 10th. AND THIS IS ON -- I THINK SOMETHING THAT REALLY OFFERS A TREMENDOUS OPPORTUNITY TO SYNC UP WITH LAND USE POLICIES AND THAT'S CREATION OF A PUBLIC PARKING ENTERPRISE. THIS IS AN IDEA WE HAVE SEVERAL DESIGN COMMISSION MEMBERS HERE TODAY AND TO THEIR CREDIT THIS KIND OF GOT TERMINATED INITIALLY FROM MEETS WITH

JUAN AND PHIL AND THE REST OF THE DESIGN COMMISSION. AND AS WE WORK THROUGH THIS, THIS IS A CREATION OF A PUBLIC PARKING ENTERPRISE THAT THE LAND USE TRANSPORTATION COMMITTEE HAS BEEN WORKING ON SINCE APRIL AND WE'VE HAD THREE FULL COMMITTEE MEETINGS IN SEPTEMBER AND OCTOBER AND DECEMBER ON THIS. AND WE'VE BEEN WORKING WITH OUR OUTSIDE BOND FIRM, PUBLIC FINANCIAL MANAGEMENT, AS WELL AS WITH OUR OUTSIDE BOND COUNSEL, AND SO A LOT OF WORK SESSIONS AND THE DESIGN COMMISSION HAS REVIEWED THIS AS WELL AND THIS HAS BEEN PART OF COUNCIL DISCUSSIONS FOR THE GREEN WATER TREATMENT PLANT RFP AND THIS HAS BEEN SYNCED UP SO THE PARKING ENTERPRISE FOR THE RFP FOR GREEN WE ARE ACTUALLY CREATING ENTERPRISE. WHEN WE TAKE THIS UP JANUARY 10th, I THINK BECAUSE THIS IS SUCH A BIG DEAL AND SUCH A GREAT OPPORTUNITY FOR OUR CITY THAT IT'S APPROPRIATE WE HAVE A FULL COUNCIL PRESENTATION ON ALL THE HARD WORK THAT'S BEEN GOING ON FOR ABOUT SEVEN, EIGHT MONTHS NOW. THAT ALONG THIS LINE WHAT'S BEFORE US TODAY THAT THE COMMITTEE UNANIMOUSLY APPROVED AND WHICH WILL COME FORWARD TO US ON JANUARY 10th DOES NOT AUTHORIZE ANY FUNDING. WHAT IT DOES IS IT CREATES THE AUSTIN PARKING ENTERPRISE. THAT WAY WE HAVE CREATED AN ENTERPRISE THAT WE CAN THEN HAVE AN ACTUAL, YOU KNOW, DOCUMENT WE CAN TAKE TO GET FEDERAL TRANSIT DESIGNATIONS SO THAT OUR INVESTMENTS HERE IN AUSTIN IN CREATING MORE PARKING HAS A PERMANENT FUNDING SOURCE FOR OUR TRAIL SYSTEM AND ALSO TRANSIT INFRASTRUCTURE AND BIKE AND PED FACILITIES, THAT WE ACTUALLY HAVE SOME DOCUMENT WE CAN SHOW FOR FEDERAL TRANSIT DESIGNATION. WE HAVE TO HAVE THE COVENANT SO WE CAN DEMONSTRATE WHAT THIS ENTERPRISE IS DOING. THAT SAID, WE'RE NOT ACTUALLY FUNDING THE ENTERPRISE, WE'RE NOT FUNDING A SINGLE PARKING GARAGE, WE'RE NOT OBLIGATING THE CITY OR TAXPAYERS, WE ARE SIMPLY CREATING A DOCUMENT WITH SOME COVENANTS WE CAN TAKE TO THE FEDS. THERE WILL BE A SECOND STEP AS WE WORK THROUGH THIS NEXT YEAR WHERE THE -- WHERE A LOCAL GOVERNMENTAL CORPORATION WOULD COME BEFORE CITY COUNCIL AND OBVIOUSLY BEFORE ANY

GARAGE ITSELF COULD BE FINANCED AT ANY TIME IN THE FUTURE, THAT ALSO WOULD HAVE TO COME BEFORE THE CITY COUNCIL. I THINK SOME OF THE EXCITING THINGS ABOUT WHAT ARE CONTAINED IN THE COVENANTS OF THIS ENTERPRISE IS THAT THIS WILL BECOME A FUNDING SOURCE, A DEDICATED FUNDING SOURCE FOR A TRAIL SYSTEM AND WHAT WE'RE SEEING SHOULD BE DEDICATED FOR TRAILS AND OPEN SPACE ACQUISITION FOR -- WITH THE TRAILS, AN ECOLOGICAL FOCUS. OUTSTANDING WORK ON THE SLAUGHTER CREEK TRAIL WHERE THEY ARE BUILDING A NATIVE HABITAT RESTORATION AND STRONG ECOLOGICAL FOCUS AND ALSO PROVIDED PERMANENT FUNDING STREAM AND A MECHANISM FOR CREATING PARKING ASSOCIATED WITH TRANSIT. THIS IS -- THIS REPRESENTS A LOT OF HARD WORK BY OUR OUTSIDE BOND COUNSEL, OUR OUTSIDE BOND FIRM, MEMBERS OF THE DESIGN COMMISSION AND BY THE MEMBERS OF THE TRANSPORTATION COMMITTEE OVER THE COURSE OF THE LAST EIGHT MONTHS. AND I THINK IT'S IN KEEPING WITH SOMETHING THAT COUNCIL COMMITTEES FREQUENTLY DO, LIKE JUST LIKE LAST WEEK THE [INAUDIBLE] TASK FORCE BROUGHT FORWARD AND DID ALL THE LEGWORK ON THE CONSOLIDATION OF THE PUBLIC SAFETY AGENCIES AND FULL COUNCIL TOOK THAT WORK FROM THAT TASK FORCE AND APPROVED IT UPON IT BEING APPROVED BY THE FULL COMMITTEE WITH [INAUDIBLE]. BUT THIS IS A BIG DEAL. WE ARE FUNDING AND CREATING THE FUTURE OF AUSTIN AND PARTICULARLY OUR TRAILS AND TRANSIT INFRASTRUCTURE. SO I THINK IT'S APPROPRIATE THAT WE HAVE A FULL COUNCIL PRESENTATION ON JANUARY 10th JANUARY 10th.

Mayor Wynn: FURTHER COMMENTS ON THE AMENDED CONSENT AGENDA? COUNCILMEMBER COLE.

Cole: JUST TO FOLLOW UP, I ALSO WANTED TO NOTE THAT WE RENEWED OUR CONTRACT TO OUR FEDERAL LOBBYIST IN WASHINGTON, BUT AS WE ENDEAVOR TO TRY TO OBTAIN MORE FEDERAL FUNDING FOR TRAILS AND TRANSIT AND KIND OF TEE UP THAT PROCESS, WHICH IS ONE OF THE REASONS I'M CO-SPONSORING THIS ITEM, WE MAY NEED TO CONSIDER ADDING ADDITIONAL FEDERAL [INAUDIBLE] HAVING A PRESENCE IN WASHINGTON. THE SECOND ITEM I WOULD LIKE TO POINT OUT IS ITEM 58 THAT

COUNCILMEMBER MARTINEZ AND I ARE CO-SPONSORING. THERE'S BEEN A LOT OF CONCERN EXPRESSED BEFORE THIS BODY ABOUT EAST AUSTIN AND LOSING ITS CULTURAL INTEGRITY THAT IT HAS HAD THROUGHOUT THE YEARS. AND THIS IS AN ITEM THAT WAS RECOMMENDED BY THE AFRICAN-AMERICAN RESOURCE COMMISSION, ADVISORY COMMISSION, WHICH WAS A RESULT OF THE AFRICAN-AMERICAN QUALITY OF LIFE THAT THIS COUNCIL ENACTED EVEN BEFORE I WAS ON THE DAIS. AND I'M VERY PROUD OF THE WORK THAT THEY'VE DONE IN ESTABLISHING BOUNDARIES TO TRY TO MAINTAIN A CULTURAL DISTRICT.

Mayor Wynn: THANK YOU, COUNCILMEMBER.
COUNCILMEMBER KIM.

Kim: I'D LIKE TO ASK THE STAFF THAT AS THEY WORK WITH THE COMMUNITY ON UPDATING THE AUSTIN TOMORROW COMPREHENSIVE PLAN THAT THEY HAVE SPECIFIC OBJECTIVES AND FOR AFFORDABLE HOUSING. I BELIEVE THAT OUR COMMUNITY NEEDS A PLAN FOR AFFORDABLE HOUSING LIKE WE DO ROADS AND OTHER INFRASTRUCTURE FOR OUR COMMUNITY. AND THE ORIGINAL PLAN RELIED ON FEDERAL ASSISTANCE PROGRAMS AND PUBLIC HOUSE TO GO ADDRESS AFFORDABLE HOUSING NEEDS AND SO THE UPDATED PLAN REALLY NEEDS TO DETAIL THE MUNICIPAL INITIATIVE, CITY INITIATIVE WE HAVE DEVELOPED TO DEVELOP HOUSING OPPORTUNITIES FOR THOSE OF ALL INCOME LEVELS. I ALSO WANT TO MAKE SURE THAT WE ADDRESS THE PROGRAM POLICY INITIATIVES THAT HAVE BEEN ADAPTED SINCE THE FIRST PLAN SUCH AS AFFORDABLE HOUSING GOALS OF THE T.O.D.s AND THE DEVELOPMENT REGULATION INCENTIVES AND SMART HOUSING PROGRAM AND THE HOUSING TRUST FUND AND MAKE SURE THAT WE'RE ADDRESSING THE SPECIFIC NEED FOR FAMILY HOUSING THAT IS FAMILY HOUSING THAT WILL HAVE THE AMENITIES AND THE SERVICES NECESSARY FOR FAMILIES WITH CHILDREN. AND THIS ALSO RELATES TO AN ITEM FOR THE DENSITY BONUSES THAT WE ARE PASSING TODAY, AND I UNDERSTAND THAT YESTERDAY OR THE DAY BEFORE THAT THERE WAS A MEETING WITH THE DESIGN COMMISSION AND THEY SET OUT THAT HALF OF THE FEE IN LIEU COLLECTED SHOULD BE FOR AFFORDABLE HOUSING. ESPECIALLY ON THE GREEN WATER TREATMENT PLANT AS

THAT IS I BELIEVE THE LAST GREAT CHANCE TO HAVE AFFORDABLE HOUSING DOWNTOWN SO WE HAVE ECONOMIC DIVERSITY IN OUR DOWNTOWN AREA.

Mayor Wynn: COUNCILMEMBER McCracken.

McCracken: AND I'M GOING TO -- WE TODAY HAVE BEFORE US ITEM 61. THIS IS TO IMPLEMENT THE CRITICAL WATER QUALITY ZONES ALONZO THE EASTERN COLORADO RIVER THAT COMES OUT OF AUSTIN, TROPICAL RIVER CORRIDOR PARTNERSHIP. AND I'M FIRST GOING TO SAY A LITTLE ABOUT IT, BUT THERE IS A GREAT STORY ABOUT PERSERVERANCE AND VISION BY SOME OUTSTANDING CITY EMPLOYEES PARTICULARLY MIKE WITH AUSTIN WATER. I'M GOING TO EMBARRASS YOU RIGHT BEFORE YOU RETIRE. THAT -- LET ME EXPLAIN THIS BRIEFLY, THEN I'M GOING TO TURN IT OVER TO OUR EXPERTS. BUT THIS IS SOMETHING THAT THE LAND USE TRANSPORTATION COMMITTEE HAS BEEN WORKING ON FOR ABOUT SIX, SEVEN MONTHS NOW. TO BUILD ON THE OUTSTANDING WORK THAT'S BEEN DONE BY STAKEHOLDERS THROUGHOUT THIS REGION. RIGHT NOW WITH SH-130 THERE IS A DEVELOPMENT INTENSITY HAPPENING IN THE EASTERN PART OF OUR METRO AREA AND THAT IS NOT JUST ADDING DEVELOPMENT PRESSURE BUT ACTUALLY INCREASE MINING PRESSURE ALONG THE BANKS OF THE COLORADO RIVER. THE EASTERN COLORADO RIVER IS STILL AMAZINGLY PRISTINE EXCEPT IN CERTAIN AREAS WHERE YOU HAVE GRAVEL MINING OPERATIONS ENTREATING UP TO THE SHORELINE. WE DISCOVERED A TRADITIONAL WAY THAT WE MEASURED SETBACKS, DEVELOPMENT SETBACKS AND PROTECTION RIPARIAN ZONES DID NOT WORK WITH THE WIDTH AND THE CHANGING BANKS OF THE COLORADO RIVER IN THE EASTERN PORTION. AND SO THIS IS TO MAKE SURE THAT AS WE HAVE ALL THIS NEW DEVELOPMENT PRESSURE ALONG THE EASTERN PORTION OF THE COLORADO RIVER THAT WE PROTECT AND IN FACT IMPROVE THE PROTECTION OF CRITICAL WATER QUALITY ZONES ALONG THE BANKS OF THE COLORADO RIVER FOR FUTURE GENERATIONS AND THAT WE LEAVE THIS PLACE BETTER THAN WE FOUND IT. AN AMAZING STATISTIC IS A REFLECTION OF THE GREAT WORK OF THIS ORGANIZATION IS THAT AUSTIN IS ONE OF THE FEE -- MAYBE THE ONLY CITY IN AMERICA WHERE THE WATER QUALITY IS

BETTER DOWNSTREAM THAN IT IS UPSTREAM. AND SO THAT'S A TESTAMENT TO THE AMAZING WORK THAT'S GONE IN THIS ORGANIZATION AND THIS COMMUNITY. BUT FIRST AND FOREMOST, THIS IS A GREAT STORY ABOUT A GREAT VISIONARY CITY EMPLOYING A GREAT TEAM AND MICHAEL LIDA HAS BEEN WORKING FOR YEARS TO MAKE SURE THAT THIS HAPPENED, THAT WE ACTUALLY PROVIDED BUFFER ZONE PROTECTION FOR RIPARIAN ZONE PROTECTION ALONG THE COLORADO RIVER. AND FOR A LONG TIME HE WAS A VOICE IN THE WILLEDDER NLS, BUT HE HAS BEEN ALSO SINGLE-HANDEDLY BRINGING TOGETHER FOLKS FROM THROUGHOUT THIS REGION INCLUDING BASTROP AND SMITHVILLE TO DO THIS. SO I WANT TO TURN THIS OVER TO MIKE WHO IS ABOUT TO RETIRE, BUT IS AN EXAMPLE OF A GREAT VISIONARY PUBLICKERSERVANT AND NANCY AND MATT WHO HAVE BEEN PART OF THIS OUTSTANDING TEAM TOO. I WANT YOU ALL TO TELL US SOME OF THE TECHNICAL DETAILS, BUT I WANT PEOPLE TO SEE THE TALENTED VISION NEAR PEOPLE WE HAVE WORKING FOR US.

Mayor Wynn: AGREED. MICHAEL, WELCOME.

THANK YOU. FOR THESE VERY KIND WORDS. ROY BEDICHEK WOULD BE VERY PROUD OF WHAT WE'RE DOING TODAY. WHOSE STATUE IS OUT BY BARTON SPRINGS. HE WROTE A BOOK ABOUT THIS VERY THING THAT WE'RE DOING, PRESERVING THE COLORADO RIVER. AND THIS IS THE MOST IMPORTANT RESOURCE THAT WE'VE GOT IN EAST AUSTIN AND SO WE'RE DOING EAST AUSTIN A TREMENDOUS SERVICE BY PROTECTING -- AND FROM NOW ON, I MEAN, I INVITE IYOU ALL TO GO CANOEING DOWN THE COLORADO RIVER. IT'S A WONDERFUL EXPERIENCE AND NOW WE'RE GOING TO BE ABLE TO APPRECIATE IT FROM HERE ON. THANK YOU.

McCracken: CAN YOU TELL US HOW LONG YOU'VE BEEN WORKING ON THIS AND WHAT GOT YOU STARTED ON IT?

WELL, IT'S MY JOB TO GO OUT ON ALL THE DEVELOPMENT SITES THAT HAVE WATER RESOURCES AND REPORT TO THE ENVIRONMENTAL BOARD AND TO THE CITY'S CODE REVIEWERS IN PARTICULAR, MAKE RECOMMENDATIONS FOR SETBACKS FROM WETLANDS AND OTHER WATER FEATURES.

SO I'VE JUST BEEN PRIVILEGED AS ANY HUMAN BEING COULD BE TO BE ABLE TO TROMP AROUND AUSTIN, TEXAS FOR 20 YEARS OR WHATEVER AND DO WHAT I DO. BUT, OF COURSE, I SAW WHAT WAS HAPPENING TO THE COLORADO RIVER AND UNFORTUNATELY, YOU KNOW, WE DIDN'T GET THIS KIND OF PROTECTION IN PLACE EARLIER BECAUSE WE HAVE LOST A LOT OF THESE BOTTOMLAND HARDWOOD FOR HE IS THAT ARE ONE OF THE MOST RAPIDLY VANISHING ECO SYSTEMS IN THE WORLD. SO I ENCOURAGE ALL CITIES IN ALL OF THE WORLD TO DO WHAT WE'RE DOING AND PROTECT THEIR RIVER SYSTEMS THE WAY WE'RE DOING HERE.
[APPLAUSE]

Mayor Wynn: COUNCILMEMBER LEFFINGWELL.

Leffingwell: BEFORE YOU LEAVE, MIKE, I JUST WANT TO -- I KNEW YOU WERE GOING TO RETIRE SOON, BUT I DIDN'T KNOW IT WAS GOING TO BE THIS SOON. I WANT TO SAY TO EVERYBODY IT'S BEEN MY PLEASURE TO WORK WITH YOU FOR ALMOST 10 YEARS NOW, INCLUDING MY SERVICE OF 5 YEARS ON THE ENVIRONMENTAL BOARD. AND YOU'LL BE MISSED, BUT YOUR WORK WILL LIVE ON, AND I KNOW THERE ARE MORE THINGS THAT YOU HAVE STARTED DOWN THE ROAD. FOR EXAMPLE, WATERSHED PROTECTION FOR SMALL STREAMS, WHICH WE'LL BE TALKING ABOUT, THAT IS YOUR INITIATIVE AND EVEN THOUGH YOU WILL BE GONE I WANT TO MAKE SURE YOU GET FULL CREDIT FOR IT. THANK YOU.
[APPLAUSE]

MATT HOLLAND. MATT HAS BEEN DOING A LOT OF WORK. I WONDER IF YOU CAN EXPLAIN, GIVE US THE INFORMATION WHY WE'RE DOING THIS AND WHY WE NEED TO DO THIS.

MATT HOLLAND WITH WOVARD PROTECTION. I'M NOT ABOUT TO RETIRE. BUT I AM GOING TO BE HELPING TO LEAD THE STAFF INITIATIVE ON THIS AFTER THE COUNCIL RESOLUTION. THIS IS AN IMPORTANT -- THE IDEA IS VERY SIMPLE. WE'RE ESSENTIALLY GOING TO MOVE THE BUFFER FROM THE CENTER OF THE CREEK, WHICH IN THIS CASE IS A 200 TO 300-FOOT-WIDE RIVER, AND WE'RE GOING TO MOVE IT TO THE EDGE OF THE BANK. THAT IS GOING TO PROVIDE THE TREE LINE PROTECTION ALL THE BUFFERS WERE INTENDED TO PROVIDE SINCE 1980. IT'S A

STRAIGHTFORWARD THING BUT IT'S GOING TO PROVIDE PERMANENT PROTECTION FOR THE AREA ITSELF. SO IT'S NOT -- IT'S NOT A VERY COMPLICATED ISSUE, BUT IT'S A VERY -- IT WILL HAVE FAR-REACHING EFFECTS.

McCracken: THAT'S GOOD.

VERY GOOD. THANK YOU.

Mayor Wynn: THANK YOU, MATT. WE HAVE A MOTION AND A SECOND ON THE TABLE REGARDING OUR AMENDED CONSENT AGENDA. FURTHER COMMENTS? I'LL END THEN WITH ITEM NUMBER 64 RELATES TO OUR AUSTIN CLIMATE PROTECTION PLAN, AND SPECIFICALLY IT RELATES TO WHAT I BELIEVE TO BE THE MOST CRITICAL AND PERHAPS OUR FINAL ASPECT REGARDING THE HOMES AND BUILDING PIECE OF THE AUSTIN CLIMATE PROTECTION PLAN. THE REASON WE TALK ABOUT HOMES AND BUILDINGS WHEN WE TALK ABOUT CLIMATE PROTECTION IS BECAUSE PEOPLE THINK ABOUT OIL AND GAS CONSUMPTION AND CAR EMISSIONS, BUT YOU PUT ALL OF OUR TRANSPORTATION SECTOR TOGETHER, PLANES, TRAINS AND AUTOMOBILES, THEY ACCOUNT FOR ABOUT 25% OF GLOBAL WARMING GREENHOUSE GAS EMISSIONS. 45% OF ALL ENERGY, 70% OF ALL ELECTRICITY CIEWMD IN THIS COUNTRY ARE CONSUMED IN NON-INDUSTRIAL BUILDINGS. OUR HOUSES AND OUR OFFICES. THAT'S WHERE ALL OF THE CARBON DIOXIDE MOSTLY EMISSIONS ARE GENERATED DISPROPORTIONATELY. SO OUR HOMES AND BUILDING PLAN IS A BIG PART OF THAT CLIMATE PROTECTION PLAN. JUST SINCE WE'VE PASSED THE CLIMATE PROTECTION PLAN BACK IN FEBRUARY, WE HAVE DONE FOUR BIG THINGS. WE'VE ADOPTED OUR ZERO ENERGY HOMES -- CAPABLE HOMES INITIATIVE INCLUDING AMENDING THE ORDINANCES FOR THE MANDATORY REQUIREMENTS FOR UPGRADES TO THE NEW CONSTRUCTION TECHNIQUES OCCURRING IN AUSTIN. THE GOAL BEING TO HAVE ALL NEW HOMES BUILT IN AUSTIN BY 2015 ZERO ENERGY CAPABLE HOMES. THAT TASK FORCE THAT BROUGHT US THOSE RECOMMENDATIONS IS LED BY THE HOME BUILDERS ARCHITECTS AND THE REMODELING ASSOCIATION. BIG, BIG IMPROVEMENTS ON HOW WE BUILD NEW HOMES HERE IN AUSTIN. WE'VE ESTABLISHED A COMPREHENSIVE SUSTAINABILITY STANDARDS FOR ALL OF

OUR NEWLY CONSTRUCTED MUNICIPAL BUILDINGS, BUT ALSO HOW WE MAINTAIN AND OPERATE OUR EXISTING MUNICIPAL BUILDINGS. WE SET UP A COLLABORATIVE PUBLIC PROCESS TO ENHANCE OUR GREEN BUILDING STANDARDS. HOW WE'RE GOING TO RAISE THAT BAR ANOTHER LEVEL OR TWO WORKING WITH THE PRIVATE SECTOR. AND OUR GREEN BUILDING AND COMMERCIAL ENERGY PROGRAMMING STAFF AT AUSTIN ENERGY ARE CURRENTLYLY WORKING VERY HARD TO FIGURE OUT THE REQUIREMENTS TO HAVE COMMERCIAL BUILDINGS IMPROVE THEIR ENERGY EFFICIENCY BY APPROXIMATELY 75%. BUT NOW THIS IS THE FINAL PROBABLY MOST CRITICAL PIECE. THIS IS OUR POINT OF SALE UPGRADES TO EXISTING HOMES AND BUILDINGS HERE IN AUSTIN. SO IF YOU THINK ABOUT IT, WE ACTUALLY POSITIVELY ARE NATIONAL LEADERS WHEN IT COMES TO THE ENERGY EFFICIENCY REQUIREMENTS OF NEW CONSTRUCTION IN OUR CITY. BUT FAST FORWARD 20 YEARS, 90% OF ALL HOMES AND BUILDINGS IN AUSTIN 20 YEARS FROM NOW EXIST TODAY. AND SO IF WE'RE GOING TO HAVE ANY IMPACT ON ENERGY CONSUMPTION AND THEREFORE ANY IMPACT ON CARBON DIOXIDE EMISSIONS BECAUSE OF OUR METRO ECONOMY, WE HAVE TO ADDRESS THE EXISTING BUILDING STOCK. AND SO WE ARE WITH THIS ITEM ESTABLISHING THE TASK FORCE THAT WILL HELP US GET THERE. THIS TASK FORCE, WE HAVE IDENTIFIED 25 STAKEHOLDER GROUPS THAT WILL HELP US COME UP WITH THESE STANDARDS. REALTORS, MORTGAGE BANKERS, HOME BUILDERS, REMODELERS, THEN, OF COURSE, LOTS OF CONSUMER ADVOCATES AND ENVIRONMENTAL ADVOCATES. ENERGY TECHNICIANS. SO WE'RE GOING TO HAVE EVERYBODY AT THE TABLE LIKE WE'VE HAD WITH THE ZERO ENERGY CAPABLE HOMES TASK FORCE TO HELP US CRAFT THE RULES. WE'RE GOING TO SET THE STANDARDS, MINIMUM STANDARDS FOR WHAT HOMES AND BUILDINGS NEED TO MEET AT POINT OF SALE AND THEN HOW DO WE GET THERE. THIS IS EVERY BIT AS IMPORTANT AN AFORWARDABILITY ISSUE. WHEN YOU ROLL THE COST OF ENERGY EFFICIENT UPGRADES INTO A LOAN OR THE COST OF A MORTGAGE, THE MASS SPEAKS FOR IFERTSZ. JUST LIKE WHAT WE LEARNED WITH THE ZERO ENERGY CAPABLE TASK FORCE, THIS FIRST STEP THEY TOOK. THEY RECKONED THAT THEY ADDED ABOUT \$1,200 TO THE COST OF A NEW

HOUSE BUILT IN AUSTIN. A BIG, IMPORTANT RADIANT BARRIER, FOR INSTANCE, ARE NOW REQUIRED FOR NEW HOMES. THAT \$1,200 ADDITIONAL COST FOR A NEW HOME IN AUSTIN IS GOING TO INCREASE YOUR MORTGAGE ABOUT 7 BUCKS A MONTH. AND YOU ARE GOING TO SAVE PROBABLY 40 BUCKS A MONTH ON YOUR ELECTRICITY BILL. SO THE MONTHLY MATH SPEAKS FOR ITSELF. THIS IS AFFORDABILITY FROM THE GET-GO. REMEMBER, AFFORDABILITY IS ABOUT OWNERSHIP OF THE HOME, IT'S NOT ABOUT THE PURCHASE PRICE. PURCHASE PRICE IS A BIG PART OF IT, BUT AFTER YOU BUY A HOME, THEN YOU'VE GOT TO STAY IN IT. YOU'VE GOT TO FIGURE HOW TO PAY YOUR MONTHLY BILLS, AND ELECTRICITY IS GOING TO BE A BIGGER, BIGGER COMPONENT, GROWING COMPONENT OF FOLKS' MONTHLY BUDGET. AND THIS WILL HAVE A TREMENDOUS POSITIVE MATHEMATICAL EFFECT ON AFFORDABILITY IN THIS TOWN. AND IN A CITY WHERE OVER HALF OF OUR RESIDENTS ARE RENTERS, THIS BECOMES AN EQUITY ISSUE. HALF OF AUSTIN CITIZENS DON'T OWN THEIR HOME SO THERE'S A BIG, BIG DISCONNECT AS TO WHY A LANDLORD, FRANKLY, WOULD SPEND 1200 BUCKS, 2500 BUCKS, DRAMATICALLY INCREASING THE ENERGY EFFICIENCY OF A HOME OR BUILDING ONLY TO SAVE HIS OR HER TENANTS 50, 75, 100 DOLLARS A MONTH IN THE FUTURE. THERE'S NO FINANCIAL INCENTIVE FOR THAT TRANSACTION, PERFECTLY EFFICIENT AND EFFECTIVE TRANSACTION TO OCCUR. WITH THE MANDATORY POINT OF SALE UPGRADES, WE WILL ESTABLISH MINIMUM STANDARDS AND THEN WE WILL, THROUGH THIS WORK OF THIS TASK FORCE, WE WILL SHOW HOW WE'RE GOING TO HAVE COST EFFECTIVE MEASURES. WE'RE GOING TO FIGURE OUT WHICH ONES PAY FOR THEMSELVES AND HAVE THAT AS PART OF OUR ORDINANCES AND RULES GOING FORWARD. AND SO WE'RE GOING TO END UP, NUMBER 1, WE'RE GOING TO -- THE TASK FORCE IS GOING TO FIGURE OUT HOW WE MEASURE EFFICIENCY AND HOW WE MEASURE THE COST EFFECTIVE MEASURES THAT WILL BE REQUIRED. NUMBER 2, WE'RE GOING TO MAKE SURE THE BUYERS KNOW WHETHER A PROPERTY, A HOME OR A BUILDING IS ENERGY EFFICIENT. EITHER THROUGH PERHAPS DISCLOSURE OF HISTORIC ENERGY USE AND LET A WORKING COUPLE, PROSPECTIVE FIRST-TIME HOME BUYER BE TOLD, KNOW THAT THIS TWO-

BEDROOM, ONE-BATH HOUSE THAT SADLY MIGHT COST \$200,000 WILL COST THEM \$1,800 MORE A YEAR AFTER TAX TO OWN THAN THIS TWO-BEDROOM, ONE-BATH HOUSE THAT ALSO COSTS \$200,000 A YEAR TO PURCHASE. LET THE BUYER BE AWARE, NOT BEWARE, BE AWARE OF HOW MUCH THIS HOME OR THIS BUILDING POTENTIALLY WILL SAVE YOU. SO GUESS WHICH OF THE TWO HOMES SELL, BY THE WAY? THIS ONE SELLS. AND GUESS WHAT THIS HOMEOWNER, SELLER, PROPERTY OWNER DOES? WELL, EITHER LOWERS THE PRICE, THAT'S A PRETTY GOOD THING WHEN WE TALK ABOUT HOUSING AFFORDABILITY IN THIS TOWN, OR MORE THAN LIKELY BECAUSE THE MATH SPEAKS FOR ITSELF -- THE MATH SPEAKS FOR ITSELF. THEY SPEND \$2,500 AND MAKE THAT HOME FAR, FAR, FAR MORE VALUABLE BECAUSE IT'S AN ENERGY EFFICIENT EXISTING HOME. SO WE HAVE THESE 25 STAKEHOLDER -- STAKEHOLDING CONSTITUENCIES THAT ARE GOING TO HELP US COME UP WITH THESE RULES. IN THE END WE'RE GOING TO INCREASE AFFORDABILITY, WE'RE GOING TO HELP PROPERTY OWNERS INVEST IN THEIR OWN WEALTH. INVEST THAT PRE-TAX MONEY INTO THE EQUITY OF YOUR HOME OR YOUR INVESTMENT PROPERTY INSTEAD OF INVESTING IT WOULD AUSTIN ENERGY -- IT WITH AUSTIN ENERGY OR ANY OTHER UTILITY AND HAVING YOUR AFTER-TAX DOLLARS LITERALLY GO UP A SMOKESTACK. FROM A WEALTH CREATION STANDPOINT, IT'S DRAMATIC DIFFERENTIAL IF YOU EVEN VEST YOUR PRE-TAX DOLLARS IN THE EQUITY IN YOUR PROPERTY VERSUS POST-TAX DOLLARS BUYING ELECTRICITY. AND THIS WILL BE A CRITICAL STEP FOR HOW WE AS A UTILITY, HOW AUSTIN ENERGY MANAGES ITS LONG-TERM STRATEGY OF DELIVERING ELECTRICITY AND ENERGY TO ONE OF THE FASTEST GROWING BIG CITY METRO ECONOMIES IN THE COUNTRY WHILE AT THE SAME TIME IMPLEMENTING AND ABIDING BY OUR CLIMATE PROTECTION PLAN. LASTLY, IT'S ALSO ABOUT JOBS. JOBS THAT CAN'T BE OUTSOURCE TO DO CHINA OR INDIA. SOMEBODY HAS GOT TO CRAWL INTO THE ATTIC AND BLOW IN SOME MORE INSULATION. SOMEBODY HAS TO UNLOAD AN ENERGY EFFICIENT WINDOW OFF A TRUCK AND GO INSTALL IT INTO THE WALLS OF THE EXISTING HOME. SOMEONE IS GOING TO CRAWL ON THE ROOF AND INSTALL SOLAR PANELS. SOMEONE IS GOING TO INSTALL THE SOLAR SCREENS ON THE INTERIOR OF THE

WINDOWS OF A COMMERCIAL BUILDING. YOU CAN'T OUTSOURCE THOSE JOBS. AND GUESS WHO WILL BE DOING THOSE JOBS? FOLKS WHO HAVE -- RIGHT NOW HAVE RELATIVELY LOW SKILLS AND ARE HAVING A HARDER AND HARDER TIME FINDING JOBS AS BOTH OUR LOCAL AND NATIONAL ECONOMY EVOLVE AWAY FROM A MANUFACTURING INDUSTRY CLUSTERS AND INTO SERVICE AND INTELLECTUAL INDUSTRY CLUSTERS. WHY NOT HAVE THESE JOBS THAT ARE REALLY, REALLY IMPORTANT TO DO, THE JOBS MOST NEED DOING DONE BY FOLKS THAT MOST NEED THE JOBS? AND I'M REALLY PROUD AND REALLY PLEASED THAT LAST WEEK THE U.S. CONGRESS, THE HOUSE PASSED AN ENERGY BILL THAT INCLUDED AN ITEM THAT I WORKED FOR A YEAR ON TO DRAFT AND PROMOTE, ENERGY EFFICIENCY BLOCK GRANTS, \$2 BILLION. IT HAS PASSED THE SENATE AND HAS PASSED THE HOUSE. IT'S GOING TO GO TO A CONFERENCE COMMITTEE AND HOPEFULLY THE PRESIDENT WILL SIGN IT. \$2 BILLION MODELED AFTER THE VERY SUCCESSFUL 1970 ERA COMMUNITY DEVELOPMENT BLOCK GRANT. WHERE LOT GOVERNMENTS KNOW BEST HOW TO SPEND THESE DOLLARS. NO ONE SIZE FITS ALL. SO \$2 BILLION GETS ALLOCATED TO LOCAL COMMUNITIES BASED ON THE CDBY MODEL FOR ENERGY UPGRADES. AUSTIN WILL GET ABOUT \$25 MILLION. WHAT WE AS A COMMUNITY AND AUSTIN ENERGY AND THIS AND FUTURE COUNCILS COULD DO WITH \$25 MILLION VERY JUDICIALLY SPENT IN HOMES THAT HAVE HORRIFIC, HORRIFIC ENERGY EFFICIENCIES IN OUR COMMUNITY, MANY, MANY OF THEM OCCUPIED BY FOLKS BARELY GETTING BY. AND WE CAN HAVE A DRAMATIC, DRAMATIC IMPACT ON AFFORDABILITY THIS THIS TOWN, ON HOMEOWNERSHIP IN THIS TOWN, ON CREATING JOBS IN THIS CITY FOR FOLKS THAT REALLY NEED THEM AND HAPPEN TO BE REALLY IMPORTANT JOBS TO BE DONE, AND HAVE A DRAMATIC, DRAMATIC IMPACT ON HOW AUSTIN ENERGY AS A UTILITY MANAGES THE SPINS BUILT WE HAVE TO DELIVER ENERGY WHILE AT THE SAME TIME DRAMATICALLY REDUCING CARBON DIOXIDE EMISSIONS, AND IN FACT LEADING BY EXAMPLE FOR OTHER UTILITIES ACROSS THE COUNTRY. SO ITEM NUMBER 64 IS ON THE CONSENT AGENDA, NOT A -- NO DEBATE. PROBABLY WON'T GET ANY PRESS ABOUT IT. THIS IS A BIG DEAL. WASHINGTON, D.C. IS AWARE OF THIS. OTHER COMMUNITIES

AROUND THE COUNTRY ARE AWARE OF WHAT THIS CAN DO. ABSOLUTELY POSITIVELY SET THE STANDARD ABOUT HOW LOCAL GOVERNMENTS WITH SOUND POLICY COORDINATED WITH A UTILITY -- WE HAPPEN TO OWN OURS. YOU DON'T HAVE TO OWN IT TO DO THIS -- WILL HAVE A DRAMATIC, DRAMATIC POSITIVE IMPACT OF A LONG-TERM LIVABILITY, SUSTAINABILITY OF THIS COMMUNITY. SO I'M REALLY PROUD OF MY COLLEAGUES FOR SUPPORTING ITEM NUMBER 64 ON OUR CONSENT AGENDA. AND BY THE WAY, I HAD NUMBER 57 I PULLED OFF THE CONSENT AGENDA, IT'S VERY MUCH RELATED. ITEM 57 RELATES TO AUSTIN ENERGY'S LONG-TERM STRATEGIC PLAN ON THE SUPPLY OF ELECTRICITY. ITEM 64 DISPRODISPROPORTIONATELY MORE THAN ANYTHING ELSE THIS COUNCIL HAS DONE YET ADDRESSES THE DEMAND SIDE OF THIS COMPLICATION EQUATION. ITEM 57 WE'LL TAKE UP IN A FEW MINUTES TALKS ABOUT THE SUPPLY SIDE THAT IS HOW AUSTIN ENERGY THROUGH A VERY TRANSPARENT AND DEMOCRATIC PUBLIC PROCESS WILL HELP US DETERMINE THAT LONG-TERM ENERGY GENERATION STRATEGY TO THEN PARALLEL OR COMPLIMENT WITH WHAT WE'RE DOING ON THE DEMAND SIDE. THANK YOU ALL VERY MUCH. COUNCIL, WE HAVE A MOTION AND SECOND ON THE TABLE FOR AMENDED CONSENT AGENDA. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH.

Mayor Wynn: COUNCIL, WITHOUT OBJECTION, JENNIFER GAIL HAD SIGNED UP WISH TO GO SPEAK IN OPPOSITION TO A COUPLE ITEMS. OUR RULES ARE IT TAKES FIVE PEOPLE TO SIGN UP TO AUTOMATICALLY TAKE SOMETHING OFF THE CONSENT AGENDA. WITHOUT OBJECTION, I'LL RECOGNIZE MS. GAIL TO GIVE US SOME TESTIMONY ON THESE ITEMS AND IF THERE IS WILL OF COUNCIL TO RECONSIDER, OF COURSE, THAT'S COUNCIL'S PREROGATIVE. WELL, JENNIFER GALE.

HI, AUSTIN. MAYOR WYNN, COUNCILMEMBERS COLE, MCCracken, DUNKERLEY, MARTINEZ AND LEFFINGWELL. ON OUR SECOND TO LAST COUNCIL MEETING OF THE YEAR, I WOULD LIKE TO REMIND PEOPLE TO LOOK AROUND THEIR CARS. THE PEOPLE OF AUSTIN TO LOOK FOR LITTLE CHILDREN, TO SLOW DOWN ON OUR STREETS. RIGHT NOW

I'M ASKING THE AUSTIN COUNCIL TO RECONSIDER THE VOTE YOU'VE JUST TAKEN. ON THE ELECTION -- ON APPROVING THE ELECTION ON ITEM 14, WE STILL DON'T HAVE A PAPER TRAIL. WE STILL DON'T HAVE EVIDENCE OF A PERSON VOTING FOR A PARTICULAR PERSON OR BOND OR PROPOSITION. AND I'M SUGGESTING THAT BEFORE WE APPROVE THAT WE MAKE SURE THE COUNTY CLERK HAS THAT PAPER TRAIL SO THAT WE HAVE THE EVIDENCE. SO THAT THERE'S SOME RESIDUE SO THAT PEOPLE KNOW THAT THEIR VOTE COUNTED. I'M ASKING THAT THE \$5 MILLION NOT -- FOR THE AUSTIN CHILDREN'S MUSEUM NOT SIMPLY BE REALLOCATED FOR STREETSCAPES IN THE DOWNTOWN AREA. THE DOWNTOWN AUSTIN ALLIANCE GETS -- IT'S GOT TO BE AROUND \$10 MILLION ON MAINTAINING THE DOWNTOWN AREA. STREETSCAPES DOESN'T LIKE SOUND LIKE A PRIORITY. I LOVE YOUR -- FOR GREENHOUSE GASES AND SETTING THE STANDARD FOR THE ENVIRONMENT. IT'S A GREAT IDEA, MAYOR. BUT I WANT YOU TO RECONSIDER SENDING THAT \$5 MILLION BACK DOWNTOWN. THEY ALREADY GET PLENTY OF MONEY AS IT IS. ON ITEM 33 -- LET'S GO TO ITEM 55. FOR OUR PSYCHOLOGISTS, FOR OUR POLICE OFFICERS, \$122,000, 125 FOR ONE PSYCHOLOGIST, \$122,125 \$122,125 FOR ONE PSYCHOLOGIST SOUNDS LIKE A LOT OF MONEY FOR OUR POLICE OFFICERS HAVE A PSYCHOLOGIST WHERE THEY ALREADY MAKE MORE THAN \$10,000 FOR THE OFFICERS OF CHICAGO OR DALLAS. THEY CAN EASILY AFFORD TO HAVE A COUPLE EXTRA PSYCHOLOGISTS OR A PSYCHIATRIST THAT THEY CAN VISIT ON A MONTHLY BASIS. WE DON'T NEED TO BE SPENDING THIS MONEY ON AN ADDITIONAL PSYCHOLOGIST FOR OUR POLICE OFFICERS. ON THE POLICE BADGES, THE BADGES LOOK SOUP SUPERIOR TO ANY OTHER BADGES I'VE SEEN BEFORE. THIS KIND OF LOOKS LIKE A POLITICAL PAYOFF FOR ALL THE ENDORSEMENTS MEMBERS HERE HAVE GOTTEN FROM THE AUSTIN POLICE DEPARTMENT. THEY ALSO LOOK LIKE THEY ARE LIEUTENANTS OR SERGEANTS OR HAVE BEEN PROMOTED. AND I'M SUGGESTING THAT WE TAKE -- THAT THESE BADGES THAT LOOK EXACTLY LIKE THE BADGES THAT YOU WOULD HAVE AS A CAPITAL BUILDING POLICE OFFICER -- [BUZZER SOUNDING] -- NOT BE USED UNTIL WE CAN COME UP WITH ANOTHER DESIGN. BECAUSE IT WILL MAKE OUR POLICE OFFICERS LOOK AS IF THEY

WORK FOR THE CAPITOL BUILDING. WHICH OUR STATE TROOPERS ARE NOW DOING. IF A PERSON COMING FROM ANOTHER PART OF THE COUNTRY SEES THOSE BADGES, THEY ARE GOING TO BE VERY IMPRESSED OR THEY ARE GOING TO THINK THEY ARE CAPITOL POLICE OFFICERS. SO I'M ASKING TO YOU RECONSIDER THE DESIGN ON THAT, PLEASE. THANK YOU, MAYOR WYNN, CITY COUNCIL. PLEASE RECONSIDER.

Mayor Wynn: THANK YOU, MS. GALE. COUNCIL, I'LL ENTERTAIN A MOTION TO RECONSIDER ANY ITEM OFF OUR PREVIOUSLY APPROVED CONSENT AGENDA. HEARING NONE, WE'LL MOVE ON. COUNCIL, ITEM NUMBER 57 WAS, I THINK, CLEARLY GOING TO PASS ON CONSENT AGENDA, BUT I WANTED TO GIVE THE CHANCE FOR JUAN GARZA SO GIVE A BRIEF PRESENTATION AFTER I GIVE A COUPLE OF COMMENTS. AS YOU HEARD ME MENTION EARLIER, THIS IS A RELATED ITEM IN A SENSE, THIS IS PART OF OUR LARGER WORK WHEN IT COMES TO THE CLIMATE PROTECTION PLAN AND THE MANAGING OF AUSTIN ENERGY'S MANAGING OF A SETS. THIS DIRECTS THE CITY MANAGER TO GO CREATE A VERY FAR-REACHING, UNPRECEDENTED PUBLIC PROCESS WHEREBY AUSTIN ENERGY, THE CITY MANAGER'S OFFICE, COUNCIL LEADS AN EXTENSIVE MONTH'S LONG PUBLIC PROCESS WHEREBY WE ALMOST HAVE A SIN CITY EXERCISE WITH OUR CITIZENS, THE OWNERS OF THIS UTILITY AS TO THE LONG-TERM FUTURE STRATEGY SPECIFICALLY RELATED TO GENERATION. I THINK THIS IS UNLIKE ANYTHING YOU WILL FIND IN ANY OTHER UTILITY. THIS SPEAKS -- BUT ALSO RECOGNIZES WE SET SOME VERY AMBITION GOALS IN OUR AUSTIN CLIMATE PROTECTION PLAN AND WE CAN'T JUST ASSUME AUSTIN ENERGY IN A VACUUM CAN GO OUT AND MEET THOSE GOALS WITHOUT HAVING FOLKS RECOGNIZE THE SORT OF COST BENEFIT ANALYSES AND REALLY GO THROUGH A PUBLIC EXERCISE IN WHAT I CALLED A FORKED TRADEOFF. AND SO WITH THAT I WOULD LIKE TO TURN IT OVER TO OUR GENERAL MANAGER, AUSTIN ENERGY MANAGER JUAN GARZA TO BRIEFLY WALK US THROUGH WHAT HE ANTICIPATES TO BE THE PRODUCT. AND THE ITEM IS TO ASK THE CITY MANAGER TO COME BACK IN I BELIEVE IT'S 90 DAYS WITH WHAT THE SCHEMATIC PLAN IS FOR THIS MONTH'S LONG PUBLIC PROCESS WILL LOOK

DURING 2008. WELCOME, MR. GARZA.

THANK YOU, MAYOR. JUAN GARZA, GENERAL MANAGER AUSTIN ENERGY. THIS ITEM IS NUMBER 57 WHICH WOULD DIRECT THE CITY MANAGER TO CONDUCT A VERY COMPREHENSIVE, OPEN PROCESS TO SOLICIT INPUT IN DEVELOPING OUR RESOURCE PLAN AND IT'S AN OUTGROWTH OF THE AUSTIN CLIMATE PROTECTION PLAN. AS YOU REMEMBER, IT HAS THOSE FIVE ELEMENTS. WE ARE FOCUSING ON THE UTILITY PLAN WHICH WE BELIEVE IS THE MOST AGGRESSIVE GREENHOUSE GAS REDUCTION PLAN IN THE NATION AND CALLS FOR DRAMATIC INCREASES IN CONSERVATION EFFICIENCY, RENEWABLE PROGRAMS, REQUIREMENTS FOR CARBON NEUTRALITY ON ANY NEW GENERATION AND ALSO THE RETIREMENT OF ANY OF OUR EXISTING GREENHOUSE GAS EMISSIONS. HOW ARE WE GOING TO DO THIS? WE ARE GOING TO VERY AGGRESSIVELY THROUGH CONSERVATION BASICALLY ACHIEVE THE CONSTRUCTION OF A PLANT. 700 MEGAWATTS IN CAPACITY BY 2020. WE EXPECT TO MEET 30% OF ALL OF OUR ENERGY NEEDS THROUGH RENEWABLE RESOURCES BY 2020 INCLUDING 100 MEGAWATTS OF SOLAR POWER. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] JUST TO TAKE A QUICK LOOK AT OUR CAPACITY VERSUS THE DEMAND. THE DATA FOR DASH LINE SHOWS THE DEMAND THAT WE'LL HAVE, THE PEAK LOAD. AND THE BARS INDICATE THE CAPACITY WE'LL HAVE TO MEET THAT LOAD AND YOU'LL SEE THE GAP GROWING TO 152 MEGAWATTS BY 2020. IMAGINE THAT LINE 700-MEGAWATT HIGHER IF OUR PROGRAM ISN'T AS EFFECTIVE AS WE THINK IT'S GOING TO BE. BASICALLY YOU'LL HAVE A VERY STEEPLY CLIMBING LINE THERE. THAT'S THE CHALLENGE THAT WE HAVE. AND I'M SAYING THAT JUST TO SORT OF SET THE STAGE FOR WHAT WE'RE TRYING TO DO HERE. WE'RE ASKING THE COMMUNITY TO HELP US TAKE ON A VERY AGGRESSIVE CHALLENGE. THE LAST GREAT DEBATE THAT THE CITY AND THE COMMUNITY HAD WAS OVER OUR NUCLEAR PLANT. AND IF YOU WERE TO TALK TO THE FOLKS THAT WOUND UP ON THE LOSING SIDE OF THAT DEBATE, THERE'S STILL SOME RESENTMENT. AND IT MAY HAVE NOTHING TO DO WITH THE DECISION, BUT IT HAS A LOT TO DO WITH THE PERCEPTION THAT WE WEREN'T AS OPEN AS WE SHOULD HAVE BEEN. AND WE DON'T WANT

THAT BECAUSE THIS IS A MONUMENTAL DECISION THAT THE CITY COUNCIL WILL BE ASKED TO MAKE. WE HAVE TO COMPLETELY OPEN UP THE BOOKS, THE DOORS AT AUSTIN ENERGY. WE UNDERSTAND IN DOING THAT, WE ARE GOING TO FIND SOME THINGS THAT WE COULD BE DOING BETTER. BUT WE ALSO ARE COMMITTING OURSELF TO NOT BE DEFENSIVE AT ALL BUT TO SIMPLY WHEN THOSE SUGGESTIONS COME IN WHERE WE CAN VERY QUICKLY MOVE IN AND IMPROVE THINGS AND MAKE THINGS BETTER, FOR AUSTIN ENERGY, WE INTEND TO DO THAT. BUT AT THE END OF THE DAY, WE HAVE TO DECIDE HOW ARE WE GOING TO ACHIEVE THAT. WELL, TOWN HALL MEETINGS, AS MANY AS IT TAKES, OUTREACH EFFORTS THROUGH THE INTERNET, THROUGH ANY OTHER MEANS THAT MIGHT BE AVAILABLE. IT WILL TAKE ABOUT 12 TO 18 MONTHS TO I THINK ACCOMMODATE THIS. AND WE WILL HIRE EXPERTS TO COME AND HELP US GET THIS DONE AND WE EXPECT TO HAVE A RECOMMENDATION SOMETIME TO YOU BY 2009. AGAIN, IT IS A MONUMENTAL UNDERTAKING THAT WILL INVOLVE ALL THE POSSIBLE TECHNOLOGIES THAT WE CURRENTLY HAVE TO ACHIEVE THE GOALS THAT THE COUNCIL HAS SET BEFORE US. BUT WE ARE CONVINCED THAT WE ARE GOING TO ACHIEVE THIS AND WE ARE CONVINCED AT THE END OF THE DAY, AUSTIN, THE CITY OF AUSTIN WILL CONTINUE TO LEAD THE WAY IN KEEPING THE ENVIRONMENT CLEAN. WITH THAT, I'LL TURN IT OVER TO QUESTIONS.

THANK YOU, MR. GARS. SPECIFICALLY, THE SPECIFICS ON THE BE IT RESOLVED, THEREFORE, LANGUAGE IS A MISSTEP DIRECTING THE CITY MANAGER TO REPORT BACK TO US IN 90 DAYS WITH THAT PLAN. WHAT DOES THAT PUBLIC PROCESS OUTREACH LOOK LIKE? AND THEN WE HAVE THE ABILITY TO HE THEN TURN THEM LOOSE AND HAVE THAT OCCUR THROUGHOUT 2008 BECAUSE, YOU KNOW, FUNDAMENTALLY, IT SEEMS TO ME THAT, YOU KNOW, WE CAN'T TALK ABOUT THIS IN THE ABSTRACT AND EXPECT IT TO HAPPEN. WE HAVE TO DRILL DOWN INTO THE DETAILS AND PEOPLE HAVE TO SEE HOW DIFFICULT SOME OF THE CHOICES WILL BE IN THIS EXERCISE IN FORCED TRADE-OFFS. BUT ULTIMATELY, IT WILL BE A COMMUNITY DECISION AS TO HOW WE MEET THE GROWING DEMAND, EVEN WITH ALL THE GOOD STUFF WE'RE DOING ON THE ADVANCE SIDE,

THE GROWING DEMAND FROM A COMMUNITY AND ECONOMY THAT DOUBLES EVERY 20 YEARS.

IT'S A TRADE-OFF WE WANT FOR THE PUBLIC TO BE INVOLVED IN.

MAYOR WYNN: COUNCIL MEMBER MARTINEZ.

THANKS FOR THE PRESENTATION AND THE GOALS AS IT RELATES TO REDUCTION OF OUR CORNER FOOTPRINT. ONE OF THE THINGS I WANT TO EMPHASIZE AS WE MOVE FORWARD, WE SOMEHOW QUANTIFY THIS. AND SET THE GOALS BASED ON THAT QUANTIFIED MEASURE, WHETHER IT'S 50% REDUCTION, 40% REDUCTION. THIS WEEK THE WORLD IS LITERALLY MEETING IN BALI ON CLIMATE PROTECTION. AND THE ONLY COUNTRY RIGHT NOW THAT CAN'T SPECIFICALLY OR THAT WON'T SPECIFICALLY COMMIT TO A PERCENTAGE IN REDUCTION IS THE UNITED STATES. I THINK AUSTIN COULD LEAD THIS COUNTRY INTO THAT AGREEMENT AND SHOW THEM THAT WE CAN QUANTIFY THIS. WE DON'T JUST HAVE TO COMMIT TO SOME BROAD POLICY STATEMENT THAT SAYS WE'RE GOING TO DO EVERYTHING WE CAN IN OUR PART IN THE WORLD. THAT WE CAN ACTUALLY PUT DOWN ON PAPER A COMMITMENT IN NUMBERS AND MEET THAT GOAL. AND SO I'D LIKE TO SEE US TRY TO QUANTIFY IT IN SOME WAY AND, MAYOR, MAYBE WE CAN LEAD THE COUNTRY IN THIS BECAUSE WE SEE THE U.S. BEING ONE OF THE COUNTRIES RIGHT NOW AT THE U.N. CLIMATE PROTECTION SUMMIT STRUGGLING TO COMMIT TO SPECIFIC AMOUNTS OF REDUCTION, IF YOU WILL IN OUR CARBON FOOTPRINT WHILE GERMANY AND AUSTRALIA AND OTHER COUNTRIES HAVE COMMITTED. SO I'D LIKE TO SEE IF WE CAN CREATE SOME TYPE OF MEASUREMENT AND SPECIFICALLY PUT GOALS DOWN ON PAPER SO THAT WE CAN HOPEFULLY TAKE THIS TO OUR CONGRESSIONAL DELEGATION AND ASK THEM TO MAYBE EVEN USE THIS AS A MODEL MOVING FORWARD.

THAT'S EXACTLY WHAT IT WILL TAKE. AND FORTUNATELY, THAT IS AN EXPERTISE THAT THE AUSTIN ENERGY STAFF HAS DEVELOPED OVER A PERIOD OF 20 YEARS. THEY HAVE GOT SOME VERY GOOD METHODOLOGIES TO DOCUMENT AND MEASURE NUMERICALLY EXACTLY THE IMPACT THAT

THEY ARE HAVING. I'M SURE WE'LL ACCOMPLISH THAT.

MAYOR WYNN: COUNCIL MEMBER LEFFINGWELL.

I'D LIKE TO COMMENT ON YOUR COMMENT, COUNCIL MEMBER MARTINEZ. YOU MENTIONED AUSTRALIA. AND I WOULD NOTE UNTIL LAST MONTH THERE WERE TWO HOLDOUTS. THE UNITED STATES AND AUSTRALIA. AND AFTER THE ELECTION WITH THE NEW PRIME MINISTER, THE FIRST THING HE DID WAS RATIFY THE KYOTO CARD. THAT SHOWS YOU THE POLITICAL WILL CAN BE HAD IF IT BEGINS AT THE GRASSROOTS.

MAYOR WYNN: FURTHER QUESTIONS OF STAFF OR COMMENTS? IF NOT, THEN I'LL ENTERTAIN A MOTION ON ITEM 57. MOTION MADE BY COUNCIL MEMBER MARTINEZ, SECOND BY COUNCIL MEMBER KIM TO APPROVE ITEM 57 AS PRESENTED. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLACE SAY AYE. MOTION PASSES ON VOTE TO 6-0 WITH THE MAYOR PRO TEM OFF THE DIAS. THANK YOU VERY MUCH. COUNCIL, THAT TAKES US TO OUR MORNING BRIEFING. THIS WILL BE A PRESENTATION FROM STAFF REGARDING A SORT OF ANALYSIS REGARDING PRACTICES AND PROCEDURES FOR APPLYING THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES OR MUTCD REGARDING WARRANTS AND OTHER TRAFFIC ISSUES. WELCOME.

GOOD MORNING, MAYOR. COUNCIL MEMBERS. I'M JOE RAMOS. IN NOVEMBER OF 2006, THE PUBLIC WORKS CONTRACTED WITH THE CENTER FOR RESEARCH AT THE UNIVERSITY OF TEXAS TO CONDUCT A REVIEW OF THE PROCEDURES USED BY THE CITY OF AUSTIN AND OTHER CITIES AROUND THE UNITED STATES IN DETERMINING WHETHER OR NOT A TRAFFIC SIGNAL OR ALL-WAY STOP SHOULD BE INSTALLED AND THE PROCEDURES USED TO ESTABLISH SPEED ZONES OR LIMITS. EARLIER THIS WEEK, ASSISTANT CITY MANAGER A DETAILED COPY OF THIS REPORT. WITH HIS ISTHIS DOCTOR IS WITH THE CITY OF UNIVERSITY OF RESEARCH.

MAYOR AND COUNCIL, IT'S MY PRIVILEGE TO PRESENT THE RESULTS OF THIS EXAMINATION. LET'S SEE HERE. WE'VE

BEEN AROUND A VERY LONG TIME, ABOUT 44 YEARS. WE DO RESEARCH IN EVERY ASPECT OF TRANSPORTATION THAT YOU MIGHT IMAGINE. I'VE HAD THE PRIVILEGE OF DIRECTING CTR ABOUT NINE YEARS NOW. I'M THE THIRD DIRECTOR IN 44 YEARS. AND I SHOULD MOVE ON FROM HERE. I SUPPOSE WE PRESENT THIS TO LEGITIMIZE THE REASON THAT WE'RE HERE. WE WERE REQUESTED BY THE CITY TO DO A PEER REVIEW OF HOW OTHER CITIES ACROSS OUR COUNTRY GO ABOUT THE BUSINESS OF DECIDING TO INSTALL TRAFFIC SIGNALS, ALL-WAY STOP SIGNS AND ESTABLISH SPEED ZONES. THE CITY SPECIFIED FOR US THE LIST OF CITIES TO BE INCLUDED IN THAT AND THIS IS THAT LIST. THERE ARE SEVERAL SIMILAR IN SIZE TO AUSTIN, SOME LARGER AND SOME SMALLER. WE ATTEMPTED TO CONTACT ALL OF THESE AND SURVEY THEM IN REGARDS TO THEIR USE DEVICES. ONE OF THE FIRST PIECES OF WORK WE WERE ASKED TO DO WAS DOCUMENT THE HISTORY OF TRAFFIC CONTROL DEVICES AND WE'VE DONE THAT IN SOME DETAIL. IT TURNS OUT THE NEED FOR A UNIFORM GUIDELINE FOR CONTROL DEVICES IN TERMS OF THEIR APPEARANCE AND INSTALLATION BEGIN TO BECOME VERY OBVIOUS AMONG TRANSPORTATION PROFESSIONALS PRIOR TO 1935 WHEN THE FIRST VERSION OF THE MUTCD WAS PUBLISHED. SINCE THAT TIME, IT HAS BEEN UPDATED FREQUENTLY. TODAY IT IS AN ONLINE DOCUMENT, THE NATIONAL MANUAL FOR DEVICES IS HANDLED AND TEXAS HAS ITS OWN MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES THAT IS ONLINE. THESE ONLINE DOCUMENTS ARE MUCH MORE EASILY UPDATED AND PROVIDE EASIER ACCESS TO EVERYONE THAT HAS INTEREST. AND I SUPPOSE THE MAJOR POINT HERE IS THAT THE MUTCD IS A LONGSTANDING BUT FREQUENTLY UPDATED AND VERY MUCH ALIVE AND A LIVING, BREATHING GUIDE DOCUMENT. THE PURPOSE OF THAT DOCUMENT IS TO PROVIDE A SIMPLIFICATION OF THE TASK REPRESENTED BY USING THE TRANSPORTATION INFRASTRUCTURE. NOT ONLY DRIVERS, BUT PEDESTRIANS AND BICYCLISTS AS WELL. THE MANUAL PRESCRIBES THE MEANING, THE APPEARANCE AND THE APPLICATION. APPLICATION IS PARTICULARLY IMPORTANT IN THIS CASE BECAUSE WE WERE ASKED TO LOOK AT THE APPLICATION OF THE MANUAL IN TERMS OF THE WARRANTS FOR INSTALLATION OF TRAFFIC SIGNALS AND CONTROL DEVICES.

THE MANUAL IS PART OF LEGAL CODE. THE FEDERAL LAW SPECIFIES THAT ALL STATES MUST ADOPT A STANDARD MANUAL FOR CONTROL DEVICE SPECIFICATION AND INSTALLATION. TEXAS TRANSPORTATION CODE IN TURN RESPONDS TO THAT FEDERAL LAW BY ADOPTING A STANDARDS MANUAL OF ITS OWN ACTUALLY THAT RESPONDS TO AND IS IN CONCERT WITH THE NATIONAL MANUAL. IN TTC544.001. IT GOES ON TO LIKE THE CITY OF AUSTIN TO PLACE, MAINTAIN AND USE CONTROL DEVICES BUT IT SPECIFIES THEY MUST BE IN CONCERT WITH WITH THE MANUAL BY THE TEXAS COMMISSION, WHICH IS THE TEXAS MEMBER. THE TEXAS ADMINISTRATIVE CODE GOES ON AND SPECIFICALLY NOTES THAT THE MANUAL ADOPTED BY TEXAS IN RESPONSE TO THE FEDERAL LAW IS THE TEXAS MUTCD. THE CITY OF AUSTIN CODE FURTHER CARRIES THE CODEIFICATION IN THAT IT SPECIFIES SPECIFICALLY THAT AUSTIN'S ADOPT OF THE STATE REQUIREMENT FOR A TRAFFIC CONTROL DEVICES IS CONTAINED WITHIN THE TEXAS MANUAL, 1980 VERSION AS AMENDED AND, OF COURSE, AMENDED AND CARRIES IT THE LIVING, BREATHING PART OF THE DOCUMENT ON TO TODAY. IT IS IN FACT A LEGAL DOCUMENT. THE USE OF THE DOCUMENT IN TERMS OF DESCRIBING THE CONTROL DEVICES AND INSTALLATION PROCEDURES IS CODIFIED IN STATE AND CITY LAW. THE FIRST OF THE THREE APPLICATION PEER REVIEWS WE DID IS REGARDING TRAFFIC SIGNAL, INSTALLATION. WE CONTACTED THE CITIES LISTED EARLIER AND ASKED THEM ABOUT THEIR PROCEDURES FOR INSTALLING TRAFFIC SIGNALS WITHIN THEIR JURISDICTION. WE FOUND THAT ALL OF THEM USED THE WARRANTS FOR THE MANUAL TRAFFIC CONTROL DEVICES. IN FACT, THEY INDICATED THAT THEY NEVER INSTALLED THE SIGNAL WITHOUT CHECKING WARRANTS. BASICALLY, VERY RARELY DO THOSE MUNICIPALITIES INSTALL SIGNALS THAT DO NOT MEET THOSE WARRANTS. AT LEAST FOUR OF THE CITIES INDICATED THAT THEY HAVE SOME PROCEDURES THAT SORT OF USE THE JUDGMENT CLAUSE INCLUDED THROUGHOUT THE MANUAL. THE MANUAL SAYS THAT ENGINEERING JUDGMENTS SHOULD BE USED IN ALL CASES TO MAKE DECISIONS ABOUT CONTROL DEVICE INSTALLATIONS. AND THAT HAS LED SEVERAL CITIES TO HAVE SOME NONSTANDARD SORT OF EXTENSIONS TO THE

MANUAL. THESE FOUR CITIES, SPECIFICALLY. BUT AS YOU SEE, THE NUMBER OF UNWARRANTED SIGNAL INSTALLATIONS THAT THEY ACTUALLY INSTALL IS EXTREMELY SMALL. IT'S A VERY RARE, RARE THING FOR THEM TO INSTALL UNWARRANTED TRAFFIC SIGNALS. WE MOVED ON TO STOP SIGNS. AGAIN, ALL OF THE CITIES INDICATED THAT THEY USED THE MANUAL. SEVERAL, HOWEVER, HAVE ADDITIONAL PROCEDURAL GUIDELINES THAT THEY HAVE DEVELOPED. THE WARRANTS IN THE MANUAL FOR TRAFFIC SIGNALS ARE VERY DETAILED AND VERY, VERY SPECIFIC. THE WARRANTS FOR ALL-WAY STOPS ARE QUITE SPECIFIC REQUIRING BASICALLY 300 VEHICLES PER HOUR FOR EACH EIGHT HOURS ON A MAJOR STREET, 200 VEHICLES PER HOUR ON THE MINOR STREET AND SO FORTH AND SO ON. WHEN YOU GO AWAY FROM ALL-WAY STOPS TO LESS THAN ALL-WAY STOPS, THERE IS ROOM FOR A GREAT DEAL OF JUDGMENT. SEVERAL OF THE CITIES WE TALKED TO DID DEVELOP THEIR OWN SORT OF EXTENSIONS AGAIN OF THE MANUAL REGARDING PARTICULARLY LESS THAN ALL-WAY STOPS. AND THIS IS A SUMMARY OF ALL OF THE CITIES THAT HAVE SOMETHING THAT WE WOULD REFER TO AS A NON-STANDARD ALL-WAY STOP APPLICATION PROCEDURE. DALLAS IS PROBABLY A PRETTY GOOD EXAMPLE OF ONE THAT HAS DEVELOPED AN EXTENSION TO THE MANUAL. THIS IS A SUMMARY OF THEIR STOP SIGN INSTALLATION PROGRAM THAT EXTENDS BEYOND THE SPECIFICATIONS OF THE MANUAL. AND IT REQUIRES THE STANDARD MUTCD ENGINEERING STUDY BE DONE FIRST. IF THAT INDICATES THAT A STOP SIGN INSTALLATION IS NOT JUSTIFIED, IT COULD BE CONSIDERED FOR STOP SIGN INSTALLING ALL-WAY OR LESS THAN ALL-WAY IF IT MEETS THE FIVE CRITERIA. THE STREETS HAVE TO BE RESIDENTIAL IN NATURE, A PETITION HAS TO BE SIGNED BY 2/3 OF THE RESIDENTS WITHIN IN THEIR CASE 900 FEET OF THE INTERSECTION AND THE STREET IN THE CASE OF LESS THAN ALL-WAY STOP, THE STREET WHERE THE STOP SIGN CONTROL IS REQUESTED IS NOT DESIGNATED ON THEIR THOROUGHFARE PLAN, IT'S NOT AN EMERGENCY RESPONSE ROUTE USED BY EMERGENCY RESPONDERS. AND IT HAS A TRAFFIC OF LESS THAN 6,000 VEHICLES PER DAY. THEY HAVE AN APPEALS PROCEDURE SUCH THAT IF THE EMERGENCY RESPONDERS HAVE A PROBLEM WITH THE

INSTALLATION, THEY CAN APPEAL THE DECISION THROUGH IN OUR CASE IT WOULD BE URBAN TRANSPORTATION COMMISSION. SO THIS IS AN EXAMPLE OF AN EXTENSION TO THE MANUAL PROCEDURE. I SHOULD NOTE, AS I WILL IN A MOMENT, WHEN WE GET TO THE END, THAT WE ARE NOT REALLY RECOMMENDING THAT YOU NECESSARILY ADOPT THIS PROCEDURE. WE BELIEVE THAT WE MU RECOMMEND THAT YOU FOLLOW THE CURRENT CONSERVATIVE, BUT CLEARLY LEGAL PROCESS OF BEING VERY CLOSE TO THE SPECIFICATIONS OF THE MANUAL. BUT WE DO NOTE THERE ARE DIFFICULTIES THAT THIS COUNCIL, AS WELL AS THE COUNCILS OF OTHER CITIES HAVE TO DEAL WITH. AND IN SUCH CASES, THE JUDGMENT CLAUSE, IF YOU WILL, IN THE MANUAL MIGHT ALLOW ADOPTION OF A POLICY LIKE DALLAS POLICY THAT WOULD IN CERTAIN PROBLEMATIC LOCATIONS, POTENTIALLY ALLOW INSTALLATION OF LESS THAN AN ALL-WAY STOP OR MAYBE EVEN AN ALL-WAY STOP. WE WERE ALSO ASKED TO LOOK AT SPEED ZONING. TURNS OUT THAT U.S. DEPARTMENT OF TRANSPORTATION HAS DONE A FAIRLY SIGNIFICANT BODY OF RESEARCH LOOKING AT THE IMPACT OF POSTED SPEED LIMITS ON ACTUAL SPEEDS THAT DRIVERS CHOOSE. A GOOD EXAMPLE OF THAT IS THE WORK CITED RIGHT HERE. IN THIS PARTICULAR PIECE OF RESEARCH, ABOUT 100 DIFFERENT LOCATIONS WERE MONITORED OVER AN EXTENDED PERIOD OF TIME ACROSS THE COUNTRY. AT THESE LOCATIONS, THE SPEED LIMITS WERE CHANGED. THEY WERE RAISED AND LOWERED AS MUCH AS 25 MILES PER HOUR. THE RESEARCHERS THEN MONITORED THE EFFECT OF THE SPEED SIGN CHANGE UPON DRIVER SPEEDS. AND THEY FOUND THAT THE EFFECTS WERE VERY MINIMAL. IN FACT, ON THE AVERAGE ABOUT ONE MILE PER HOUR. THE CONCLUSION FROM THIS REPORT IS THAT DRIVERS TEND NOT TO CHOOSE THEIR SPEEDS ON THE BASIS OF WHAT WE MIGHT CALL ARBARBITRARILY SPECIFIED SPEEDS. THE TEXAS CODE SPECIFIES THAT PLIMENT SPEED LIMITS ON ALL ROADWAYS SHOULD BE BASED ON SPOT SPEED STUDIES AT THE 85th PERCENT TAIL OFILE OF THE SPEEDS. IT SHOULD BE SET IN RESPONSE TO THE OBSERVED SPEEDS THAT DRIVERS TYPICALLY CHOOSE. AND AGAIN, THE BODY OF RESEARCH THAT FHWA HAS AMASSED INDICATES THAT ERECOLLECTIONERECTION THAT DOES NOT FOLLOW THAT

GUIDELINE SEEM TO BE FUTILE. THEY DON'T SEEM TO HAVE AN EFFECT ON DRIVER SPEED CHOICE. OF THE NINE CITIES WE REVIEWED, ALL NINE USE THE 85th PERCENTILE AND THERE SEEMS TO BE VERY LITTLE VARIABILITY IN TERMS OF HOW SPEED LIMITS ARE SPECIFIED AND POSTED ACROSS ALL OF THIS WHOLE PEER GROUP. FINALLY, THE APPLICATIONS OF THE MANUAL AND THE 85th PERCENTILE SPEED ZONES SEEM TO BE WELL SUPPORTED BY A SIGNIFICANT BODY OF RESEARCH AS WELL AS HISTORY. WE COMMEND THE CITY OF AUSTIN FOR FOLLOWING THE MANUAL AND THE 85th PERCENTILE SPEED ZONE PROCEDURES AND WE WOULD RECOMMEND THAT THE CITY OF AUSTIN IF AT ALL POSSIBLE CONTINUE ON ITS PRESENT COURSE. AND WITH THAT, I SHALL BE HAPPY TO ANSWER ANY QUESTIONS THAT ANYONE MIGHT HAVE.

MAYOR WYNN: THANK YOU. COMMENTS, QUESTIONS? ACTUALLY, GOING BACK TO THE SLIDE THAT SHOWED SORT OF THE PEER CITIES, I THINK IT WAS A SLIDE NON-FOUR-WAY STOP NUMBERS, IT SHOWED -- LET'S SEE. I'M SORRY. IT'S THAT ONE. BECAUSE THAT'S ALL-WAY STOP. AND SO WE SEE THE SAN ANTONIO AND DALLAS DO TWO TO FIVE A YEAR AND/OR HOUSTON. GIVE US THE SORT OF CONTEXT AS TO HOW BIG IS THE DENOMINATOR IN THAT FRACTION. I MEAN I GUESS THERE ARE THOUSANDS, MAYBE TENS OF THOUSANDS OF, YOU KNOW, COMBINATIONS. AND SO ARE WE SAYING TWO TO THREE TIMES A YEAR, YOU KNOW, TWO OF THE THREE INTERSECTIONS OUT OF THE 25,000 IN THE CITY GET CHANGED? OR IS IT, YOU KNOW, MORE CLOSELY LINKED TO, SAY, TWO TO THREE PER YEAR OUT OF THE THREE OR FOUR THAT ARE REQUESTED? I MEAN YOU SEE WHAT I'M SAYING?

YES, SIR.

MAYOR WYNN: HOW RARE IS THIS IN THESE OTHER CITIES?

THE NUMBER OF REQUESTS, I REMEMBER SAN JOSE SPECIFICALLY. AND THEY TOLD US THEY TYPICALLY HAVE SOMEWHERE IN THE NEIGHBORHOOD OF 50 TO 60 REQUESTS PER YEAR. AND THEY APPROVE NOT MORE THAN 10. IN FACT, THEY SAID USUALLY IT'S LESS THAN 10. AND I THINK THE NUMBER OF THE REQUESTS, AS I REMEMBER

THEM, FOR SAN ANTONIO AND DALLAS ARE SIMILAR. IN THE NEIGHBORHOOD OF 50 TO 75 PER YEAR. SO THEY ARE APPROVING PROBABLY LESS THAN 10% OF THE REQUESTS THAT COME FORWARD. SO THE APPROVAL OF THESE REQUESTS -- AND THESE ARE ALL REQUESTS THAT DO NOT MEET THE WARRANTS. SO THE APPROVAL OF REQUESTED STOP SIGN LOCATIONS AT INTERNATIONALS THAT DON'T MEET THE WARRANTS AFTER THEIR WARRANT STUDY HAS BEEN CONDUCTED IS IN THE MAG ANY STUDY OF LESS THAN -- MAGNITUDE OF LESS THAN 10. IN THE DALLAS CASE 3 TO FIVE TYPICALLY. AND THEY ARE GETTING 50 TO 75 REQUESTS PER YEAR.

MAYOR WYNN: AND I SAW THE PARAMETERS THAT DALLAS APPLIES. IS IT YOUR UNDERSTANDING THAT PERHAPS SAN ANTONIO AND/OR HOUSTON MIGHT HAVE LANGUAGE LIKE THAT AS WELL? OR IS THEIRS COMPLETELY ARBITRARY?

SAN ANTONIO HAS A PROCEDURE. AND THAT PROCEDURE IS DOCUMENTED IN THE REPORT HERE AT LEAST IN SOME DETAIL. BASICALLY, THE SAN ANTONIO PROCEDURE CONSISTS OF A COUNCIL CONSIDERATION REQUEST PROCESS BY WHICH A MEMBER OF COUNCIL CAN ASK FOR A STOP SIGN INSTALLATION AT A LOCATION THAT DOES NOT MEET THE WARRANT. AND IF SIX OF THE 10 COUNCIL MEMBERS WILL GO ALONG WITH THAT REQUEST, AND THAT COUNCILPERSON I BELIEVE HAS TO FUND THAT INSTALLATION OUT OF HIS OR HER DISCRETIONARY ACCOUNT, THEN THE THING CAN BE INSTALLED. SO IT'S KIND OF A DIFFICULT PROCESS THAT PUTS THE GOOD COUNCIL MEMBERS ON A BIT OF A SPOT. SO THAT'S A VERY ROUGH SKETCH OF THE WAY THE SAN ANTONIO PROCESS WORKS. I BELIEVE THE HOUSTON PROCESS IS LESS STRICTLY SPECIFIED. AND IT DEPENDS MORE ON THE JUDGMENT AND THE INDIVIDUAL CASES. SO THE DALLAS PROCEDURE IS PROBABLY THE MOST RATIONAL AND PROBABLY THE MOST THOUGHTOUT OF THOSE PROCEDURES AND THAT'S WHY WE HIGHLIGHTED IT HERE. SO WE MAKE THE POINT WE REALLY DON'T FEEL GOOD ABOUT RECOMMENDING COUNCIL GO THAT WAY BUT IT IS OUT THERE. IT SEEMS LIKE A PRETTY RATIONAL PROCEDURE.

MAYOR WYNN: QUESTION,S COMMENTS. COUNCIL MEMBER

McCRACKEN.

THANKS FOR A VERY THOROUGH AND HELPFUL PRESENTATION. ON PAGE 15, THERE'S A STATEMENT THAT SAYS THE RESEARCH INDICATES THAT ARBITRARY CHOICE OF POSTED SPEED LIMITS HAVE MINIMAL IMPACT ON DRIVER SPEED CHOICE OR ACCIDENT RATES. IF THE POSTED SPEED LIMIT BY ITSELF HAS MINIMAL IMPACT ON THE SPEED THE DRIVERS TRAVEL, WHAT ARE THE THINGS THAT INFLUENCE THE SPEED THE DRIVERS TRAVEL?

MOST IMPORTANTLY, I THINK THE RESEARCH TENDS TO INDICATE IT'S THE DRIVER'S PERCEPTION OF WHAT THE SAFE SPEED IS. AND DRIVER'S PERCEPTION HAS A GREAT DEAL TO DO WITH THE DRIVER'S PERCEPTION OF THE ROADWAY CLASS, THAT IS STREET VERSUS FREEWAY AT THE EXTREMES. THE CONDITIONS, WHETHER THERE IS SOME DANGER TO THE DRIVER IN TERMS OF STRIKING OBJECTS PERCEPTION OF THE WIDTH OF LANE, PERCEPTION OF THE CONTROL DEVICES, PROXIMITY OF PEDESTRIANS, ALL OF THESE SORTS OF THINGS THAT DRIVERS MIGHT PERCEIVE AS BEING DANGEROUS. I REMEMBER IN FACT THE PRESENTATION OF THIS PARTICULAR REPORT AT THE TRANSPORTATION RESEARCH BOARD A FEW YEARS BACK. AND THEY NOT ONLY CHANGED SPEED LIMIT SIGNS, BUT THEY ALSO USED EVERY DEVIETS THEY COULD IMAGINE TO TRY TO GET THE DRIVER'S ATTENTION, PARTICULARLY IN THE MOST PROBLEMATIC LOCATION, WHERE THERE'S A SPEED CHANGE REQUIRED FROM A RURAL 70-MILE PER HOUR TO MAYBE WHERE A HIGHWAY PASSES THROUGH A SMALL TOWN. THEN ERECTED SIGNS AND BELLS AND WHISTLES AND EVERYTHING TO GET DRIVER'S ATTENTION. THEY USED JIGGLE BARS. THE BOTTOM LINE IS EVERYTHING THEY TRIED IS OF MARGINAL SUCCESS. IT GOES BACK TO WHAT THE DRIVER'S PERCEPTION OF WHAT A SAFE SPEED REALLY IS.

IS THERE A PREDICTABLE IMPACT ON DRIVER'S PERCEPTION OF SAFE SPEEDS BASED ON LANE CHANGES OR WHAT LANE WOULD CHANGES? FOR INSTANCE, IF YOU WERE TO SAY GOING TO HAVE DEVELOPMENT NEAR THE ROAD AND NARROW THE LANES, DOES THAT HAVE A PREDICTABLE

OUTCOME ON A PERCEIVED SAFE SPEED BY A DRIVER?

I THINK IT HAS AN IMPACT. I'M SORT OF GIVING YOU MY OPINION. I'VE BEEN DOING THIS FOR A WHILE SO MAYBE MY OPINION IS WORTH SOMETHING. BUT MY OPINION IS THAT IT DOES HAVE AN IMPACT. THE DRIVER'S PERCEPTION OF SAFE SPEED IS INFLUENCED BY LANE WIDTH, CLEARLY, IN FACT THE HIGHWAY CAPACITY MANUAL ATTEMPT TOSS QUANTIFY THAT IN SOME VERY ROUGH WAYS. AGAIN, THE IMPACT IS NOT TERRIBLY LARGE BUT I THINK IT DOES HAVE AN IMPACT. SO LANE WIDTH, SHOULDER WIDTH, PROXIMITY OF OBSTACLES TO THE EDGE OF THE ROAD ALSO IS RECOGNIZED IN HIGHWAY CAPACITY MANUAL AS HAVING AN IMPACT UPON DRIVER SPEEDS.

THINGS LIKE PARALLEL PARKING, FOR INSTANCE?

YES, SIR, EXACTLY.

AND CERTAINLY, IN URBAN AREAS, THE PROXIMITY OF PEDESTRIANS, BICYCLISTS AND SO FORTH IS A VERY PRO FOUND IMPACT.

I'M GOING TO RUN INTO A CHALLENGE OF A CHICKEN AND EGG SITUATION. AND LET'S SAY WE CHANGE LANE USES AND WE SAY, OK, WE WANT TO PROMOTE A MORE DENSE PEDESTRIAN-ORIENTED DEVELOP CHARACTER ON A ROADWAY INCLUDING, YOU KNOW, SIDEWALKS, PRESENCE OF PEDESTRIAN ORIENTED DEVELOPMENTS, PARALLEL PARKING, STREET TREES, MAYBE NARROW THE LANE WIDTHS, A LOT TO DEVELOP PEDESTRIAN ORIENTED DEVELOPMENT AND DENSER DEVELOPMENT. AND I THINK THERE WOULD BE A PERCEPTION, SAY, THAT A 45 MILES AN HOUR SPEED LIMIT MIGHT BE AN UNSAFE SPEED IF YOU ARE GOING TO PROMOTE THE LANE USE CHANGES. HERE COMES THE CHICKEN AND EGG CHALLENGE. READING THIS, IT'S JUST THAT YOU CAN'T CHANGE THE SPEED LIMIT UNTIL YOU ACTUALLY HAVE WITNESSED THE DRIVERS RESPONDING MORE SLOWLY TO THESE LANE-USE CHANGES. BUT THEN HERE IS THE OTHER SIDE OF IT. THE PUBLIC WORKS WILL SAY YOU CAN'T DO THE LANE USES BECAUSE THE SPEED IS TOO HIGH TO JUEF THE LANE USES ON HERE. YOU CAN'T MAKE THE LANE USES TO COMPORT WITH YOUR POLICIES.

AND THEN IF YOU WERE ABLE TO DO THEM, YOU'D HAVE UNSAFE SPEED UNTIL SUCH TIME AS THERE IS A WITNESSING OF SLOWER SPEEDS. HOW DO YOU RESOLVE THAT TENSION?

I THINK AS ONE CHANGES LAND USE SURROUNDING ANY STREET CLASS AND TAKE A MAJOR STREET, FOR EXAMPLE, THAT MIGHT BE PROVIDING ACCESS TO A TRANSITORY DEVELOPMENT PROJECT, THAT STREET HAS A FUNCTION WHICH TO IN LARGE PART IS TO MOVE LARGE VALUES AT RELATIVELY HIGH SPEEDS. SO I THINK IN THE VICINITY OF THE TRANSITORY THE FUNCTIONAL CLASS OF THAT STREET MIGHT NEED TO CHANGE. AS THE FUNCTIONAL CLASS CHANGES IN THAT AREA, THERE ARE SEVERAL EFFECTS. ONE IN TERMS OF NETWORK, IT MEANS THAT THE THROUGHPUT THROUGH THAT SECTION OF THE STREET WILL BE LESS WHICH MAY CAUSE A REDIRECTION OF TRAFFIC TO OTHER PARTS OF CUT-THROUGH TRAFFIC THROUGH NEIGHBORHOODS IS ONE OF THE BAD SIDE EFFECTS. BUT ONE COULD CHANGE THE IF FUNCTIONAL CLASS AND, THEREFORE, MAYBE MAYBE DESIGN CHANGES TO THE STREET. I'M THINKING, FOR EXAMPLE, I LIVE OUT IN SUNSET VALLEY. AND TO DEAL WITH A SPEED PROBLEM IN FRONT OF CITY HALL, YOU HAVE PROBABLY DRIVEN ON JONES ROAD AND SEEN THE S-CURVE SORT OF DEVELOPMENT THAT THEY DID. THAT CUEN OF A GEOMETRIC CHANGE HAS A DRAMATIC EFFECT ON SPEEDS. DRIVERS, WHEN THESE SHARP RADIUS CURVES ARE PLACED IN THE ROAD, EVERYONE BASICALLY RECOGNIZES THAT THE PERCEIVED SAFE SPEED IS MUCH REDUCED. AND SO SOME OF THOSE KINDS OF THINGS AUSTIN HAD A VERY WELL DEVELOPED TRAFFIC CALMING PROGRAM FOR A NUMBER OF YEARS. SOME DEVICES WORKED VERY WELL AND SOME ARE NOT AS SUCCESSFUL AS OTHERS. BUT CLEARLY, I WOULD THINK THAT IF AN ARTERIAL STREET WAS TO BE THE PRIMARY ACCESS TO A TRANSITORYIAN DEVELOPMENT PROJECT, ONE MIGHT WANT TO MAKE SOME SIGNIFICANT CHANGES TO THE DESIGN OF THE ARTERIAL STREET IN THE VICINITY OF THE T.O.D. IN ORDER TO GIVE THE DRIVERS THE PERCEPTION THAT THE SAFE SPEED IS IN FACT LOWER. AND I THINK IF ONE DOES NOTHING TO THE CROSS-SECTION CHARACTERISTIC OF THE STREET, THEN ONE MAY HAVE

GRAND DIFFICULTY GETTING THE SPEEDS TO BE REDUCED. OF COURSE, THE MOST EFFECTIVE WAY TO GET DRIVERS TO RESPOND TO SPEED LIMIT SIGNS IS ENFORCEMENT.

YEAH. I THINK WHAT WE SEE IS THAT THERE ARE A LOT OF FACTORS THAT COME TOGETHER.

YES, SIR.

LET'S TAKE YOUR EXAMPLE. LET'S SAY WE DO DECIDE WHETHER IT'S A T.O.D. OR THAT WE WANT TO SINK UPLAND USES AND TRAFFIC SPEEDS SO WE CAN, FOR INSTANCE, HAVE SOMETHING LIKE HERE WE'RE DOING IN AUSTIN PUTTING GREATER DENSITY ON THE CORRIDORS. ON MANY OF THESE ROADS, THE SPEED LIMIT IS, YOU KNOW, 35 MILES AN HOUR. BUT THEN AT SOME POINT, IT MAY MOVE UP TO 40 OR 45 MILES AN HOUR. FROM WHAT I'M HEARING FROM YOU, IT'S THAT YOU COULD PREDICTABLY, AS A CONCERTED COMPREHENSIVE APPROACH SAY WE'RE GOING TO CHANGE LAND USE CHARACTERISTICS AND ASSOCIATED ROADWAY CHARACTERISTICS SO THAT YOU COULD PREDICTABLY HAVE A REDUCED SPEED LIMIT ON THE FRONT END AS OPPOSED TO HAVING TO WAIT TO SEE WHAT THE IMPACT WAS ON THE LAND USE CHANGES. IS THAT RIGHT?

YES, SIR, YES, SIR. WHAT I'M GATHERING NOW, THOUGH, IS IN AUSTIN AT LEAST CURRENTLY, WE HAVE TO WAIT. WE HAVE TO WAIT UNTIL WE ACTUALLY SEE THE SPEEDS REDUCED BEFORE WE CAN LOWER A SPEED LIMIT.

THAT'S CORRECT. THAT'S BASICALLY WHAT THE LAW SPECIFIES. AND AGAIN, I THINK THE BODY OF RESEARCH THAT BACKS UP THE LAW IS QUITE SIGNIFICANT AND IT BASICALLY SAYS THAT FHWA'S ADVICE IS IF WE INSTALL SPEED LIMIT SIGNS --

OK. I JUST WANT TO TAKE THIS ONE AT A TIME. SO WE CAN'T -- WE HAVE A LOT OF TIMES WHERE OUR TRAFFIC ENGINEERING MANUALS WILL BLOCK THE VERY LAND USE CHANGES NEEDED TO CREATE SAFE SPEDSAFE PEDESTRIAN AREAS ON THE BASIS THAT THE SPEEDS ARE TOO HIGH. HOW DO YOU EVER GET THE LAND USE IN PLACE IF YOU ARE BLOCKED FROM DOING IT WHEN THE SPEEDS

ARE TOO HIGH WHEN IT SOUNDS LIKE THERE IS ALSO A SOUND ENGINEERING APPROACH THAT SOUNDS LIKE YOU CAN'T INTEGRATE ROADWAY SPEED PLANNING WITH LAND USE CHANGES AS A COMPREHENSIVE APPROACH.

I THINK YOU'VE SAID THE ANSWER. IT IS A COMPREHENSIVE APPROACH.

IT SOUNDS THEN THAT WHILE WE CURRENTLY ONLY ALLOW SPEEDS TO BE CHANGED IN ONE WAY, WHICH IS OBSERVING THE POST-IMPACT OF LAND USE CHANGES WHICH MAY IN FACT BE BLOCKED BY THE CURRENT SPEED, THERE COULD FROM A SOUND ENGINEERING APPROACH BE A SECOND ADDITIONAL APPROACH WHICH WOULD BE TO SAY THAT YOU COULD HAVE SPEED LIMIT ADJUSTMENTS AS PART OF AN INTEGRATED APPROACH WITH LAND USE CHANGES.

EXACTLY.

OK.

RECOGNIZING THAT IT'S NOT THE SPEED LIMIT SIGN THAT WILL CAUSE THE CHANGE.

I TOTALLY AGREE WITH YOU. THAT'S THE INTUITIVE THING I THINK. LIKE ON INTERSTATE 35 IF WE PUT A 25 MILES AN HOUR SPEED LIMIT, PEOPLE STILL TRAVEL 70.

EXACTLY.

SO IT SOUNDS LIKE THEN THAT THERE IS, FROM WHAT I'M HEARING FROM YOU, THERE WOULD BE -- WHILE WE CURRENTLY ONLY ALLOW SPEED LIMITS TO BE CHANGED THROUGH ONE PATH, WHICH IS OBSERVING CURRENT DRIVER BEHAVIORS, THERE IS A SECOND APPROACH WE COULD ADOPT WHICH WOULD REPRESENT SOUND ENGINEERING PRACTICES WHICH WOULD BE AN INTEGRATED APPROACH OF LAND USE CHANGES IN ROADWAY DESIGN CHANGES.

YES, SIR, YES, SIR.

AND SO I GUESS THE TRICK THEN IS TO ARTICULATE THAT

BECAUSE THAT'S SOMETHING WE DON'T HAVE IN PLACE CURRENTLY, BUT IT'S SOMETHING THAT YOU ARE SAYING REPRESENTS SOUND ENGINEERING PRACTICES IF PROPERLY CONFIGURED.

YES, SIR, YES, SIR.

WELL, THAT'S REAL HELPFUL. I THINK MYSELF AND EVERYBODY ELSE LEARNS A LITTLE BIT FROM THIS. AND THEN ON THE FOUR-WAY STOP SIGN ISSUE, SOME OF THIS RESULTS FROM AN EXPERIENCE OF HAVING SOME THINGS LIKE THE HERITAGE NEIGHBOR TRAFFIC CIRCLE ISSUE WHERE, YOU KNOW, SOMETIMES WE'LL HAVE THE HERITAGE DEAL, FOR INSTANCE, WAS PROMPTED BY SOME LAND USE CHANGES. AND THE DESIRE TO PUT IN PLACE SOME TRAFFIC CONTROLS TO REDUCE SPEED ON ADJACENT STREETS IN WHICH CURRENT PRACTICES WHICH I BELIEVE ARE FUNDAMENTALLY SOUND, BUT THERE MAY BE TIMES WHEN AGAIN WE COULD HAVE SOME PREDICTABLE CHANGES RESULTING FROM LAND USE ALTERATIONS WHERE CURRENTLY WE ONLY CAN SAY WHAT HAPPENED IN THE PAST YEAR EVEN THOUGH WE PREDICT THE FUTURE FROM LAND USE. WE MIGHT WANT TO HAVE A SIMILAR LAND USE APPROACH WHEN IT COMES TO PLACEMENT OF THE FOUR-WAY STOP SIGNS, RIGHT?

YES, SIR, YES, SIR. I THINK COMPREHENSIVE AGAIN IS THE KEYWORD. AGAIN, THESE PROBLEMS -- I THINK ONE OF THE KEY POINTS THAT WE WISH TO MAKE IS THAT ALL OF THESE DECISIONS ARE NOT SIMPLE ONES. THEY ARE VERY COMPLEX ONES. AGAIN, AS WE TALK ABOUT CHANGING AND GETTING DRIVERS TO CHANGE THEIR SPEEDS, THERE ARE VERY SIGNIFICANT IMPACTS ON THE NETWORK ASSOCIATED WITH MAKING CHANGES TO AN ARTERIAL STREET THAT WOULD CAUSE DRIVERS TO DRIVE MORE SLOWLY, NETWORK EFFECTS. IT'S VERY, VERY COMPLEX. AND THE WORD COMPREHENSIVE IS EXACTLY THE RIGHT ONE TO BE APPLIED HERE TO THE SOLUTIONS.

IT SOUNDS LIKE SUBJECT TO SOUND ENGINEERING CRITERIA, WE HAVE A COUPLE OF CHANGES WE SHOULD BE MAKING AS WE MAKE THESE LAND USE CHANGES AND MAKE SURE THEY ARE COMPREHENSIVE, INTEGRATED AND WELL

THOUGHT THROUGH AND THEY COULD RESULT IN CHANGES TO THE STATUS QUO. THANKS FOR A GREAT PRESENTATION.

THANK YOU.

MAYOR WYNN: COUNCIL MEMBERS, FURTHER COMMENTS, QUESTIONS? THANK YOU ALL VERY MUCH FOR THE PRESENTATION.

YES, SIR.

MAYOR WYNN: THERE IS NO POSTED ACTION WITH THIS. THIS IS SIMPLY A BRIEFING FOR OUR AND THE PUBLIC'S INFORMATION. LET'S SEE. WE DON'T HAVE ANY DISCUSSION ITEMS PRIOR TO OUR NOON CITIZEN COMMUNICATION. MR. SMITH JUST INFORMS ME EVEN THOUGH WE HAVE A RELATIVELY LENGTHY CLOSED SESSION DISCUSSION ITEMS, THERE AREN'T ANY ITEMS WE COULD TAKE UP IN THE 10 MINUTES BEFORE WE'D COME BACK FOR THE NOON CITIZEN COMMUNICATION. SO WITHOUT OBJECTION, WE WILL NOW RECESS THIS MEETING OF THE AUSTIN CITY COUNCIL FOR 10 MINUTES. WE'LL RECONVENE AT NOON FOR CITIZEN COMMUNICATION. WE ARE NOW IN RECESS.

MAYOR WYNN: I CALL BACK TO ORDER THIS MEETING. WE HAVE A HANDFUL OF CITIZENS THAT WANT TO ADDRESS US THIS AFTERNOON. OUR FIRST SPEAKER IS JAN DAWES. COME FORWARD AND YOU'LL HAVE THREE MINUTES FOLLOWED BY JENNIFER GALE.

I'M JAN DAWES HERE TO TALK ABOUT NUCLEAR ENERGY AND THE PROPOSED EX-PLANKS OF THE NUCLEAR PLANT AND AUSTIN'S ROLE IN THAT PROJECT. I'LL BE VERY BRIEF. AMID THIS SEASON OF RIDICULOUSLY BUSY SCHEDULES AND TOO MUCH GOING ON, I'M CONVINCED LESS IS MORE. I THINK THAT'S PRETTY MUCH THE CASE ALL THE TIME. I APPRECIATE YOU AS LEADERS OF THIS COMMUNITY. I APPRECIATE YOUR INTELLIGENCE, YOUR DEDICATION AND RESOURCEFULNESS. AS LEADERS AND DECIDERS, I KNOW YOU'RE INTERESTED IN FACTS AND YOU ARE ALREADY ACUTELY AWARE, SO I WON'T REITERATE DETAILS YOU'VE HEARD MANY TIMES. I'LL RECAP EIGHT POINTS WORTH CONSIDERING AGAIN AND AGAIN. NUMBER ONE, COST.

NUCLEAR ENERGY IS COSTLY. PERENNIALY LATE AND GROSSLY OVERBUDGET. OUR EXPERIENCE IN AUSTIN SHOWS HUGE COST OVERRUNS AND RATE HIKE IN TERMS OF OUR INVOLVEMENT WITH THE SOUTH TEXAS PROJECT. IN THE CASE OF THAT PROJECT, IT WAS EIGHT YEARS LATE AND ACCORDING TO SOME ESTIMATES SIX TIMES OVERBUDGET. NUMBER TWO, SECURITY. EVEN AFTER 9/11 THE SECURITY IS INSUFFICIENT. THE UNION OF CONCERNED SCIENTISTS HAS DETAILED NUMEROUS SECURITY WEAKNESSES AT OUR NATION'S NUCLEAR REACTORS. NUMBER THREE, SAFETY. MELTDOWNS, OF COURSE, ARE A MAJOR CONCERN. RADIATION RISKS OCCUR AT EVERY STEP OF THE PROCESS INCLUDING MINING, THE VARIOUS TYPES OF MINING, TRANSPORTING, PROCESSING. CONSIDER THIS QUOTE. THERE IS NO SAFETY IN UNLIMBED TECHNOLOGICAL HUBRIS. RADIOACTIVITY WASTE STILL UNRESOLVED AFTER 50 YEARS OF TRYING. NUMBER FIVE, PROLIFERATION. THE EXPANSION OF NUCLEAR ENERGY AND NUCLEAR WEAPONS GO HAND IN HAND. THE MORE TECHNOLOGY IS DIFFUSED, THE MORE LIKELY IT WILL FALL INTO THE WRONG HANDS. NUMBER SIX, EFFICIENCY. NUCLEAR POWER IS NOT CARBON NEUTRAL. IT'S THE MOST WATER HUNGRY OF ALL ENERGY SOURCES. CONSIDER THIS QUOTE. GROWTH FOR THE SAKE OF GROWTH IS THE IDEOLOGY OF THE CANCER CELL. NUMBER SEVEN, THERE ARE MANY CLEAN AFFORDABLE AND SUSTAINABLE WAYS TO GENERATE THE POWER WE NEED. OPTIMAL ENERGY FOUND AT 80% OF TEXAS PROJECTED ENERGY NEEDS CAN BE MET THROUGH IMPROVED ENERGY EFFICIENCY AND RENEWABLE ENERGY SOURCES SUCH AS WIND AS SOLAR AND CAPTURING AND USING WASTE HEAT ENERGY FROM BUILDINGS CAN MAKE UP THE DIFFERENCE. AND CONSIDERING THIS POINT, I ASK YOU TO BEWARE OF THE FALLACY OF UNIMAGINABLE PROJECTION. NUMBER EIGHT, AUSTIN AND AUSTIN ENERGY ARE RECOGNIZED GLOBALLY FOR OUR PROGRESSIVE PROGRAMS FOR ENERGY EFFICIENCY IN HOMES AND BUILDINGS, FOR GREEN BUILDING, FOR SOLAR REBATES, FOR SAVING ENERGY THROUGH RETROFITTING. IS THAT MY SIGNAL?

MAYOR WYNN: IT IS. YOU CAN TAKE A FEW SECONDS AND CONCLUDE.

I'M ASKING YOU AS LEADERS, AS PEOPLE IN THE DRIVER'S

SEAT TO LOOK IN YOUR REARVIEW MIRRORS, TO LOOK AT WHAT LESSONS WE CAN LEARN FROM EXPERIENCE, TO CHECK FOR BLIND SPOTS, TO BE OPEN-MINDED, TO ENGAGE YOUR PASSENGERS IN DIALOGUE ABOUT WHAT YOUR DESTINATION IS AND WHAT MIGHT BE THE BEST WAY TO GET THERE. AS I SAID EARLIER, I APPRECIATE YOU AS LEADERS. I APPRECIATE YOUR INTELLIGENCE, YOUR DEDICATION AND YOUR RESOURCEFULNESS AND I APPEAL TO YOUR INTEGRITY, YOUR OPEN-MINDEDNESS AND YOUR COURAGE. THANK YOU.

MAYOR WYNN: THANK YOU, MISS DAWES. EARLIER THIS MORNING, THE COUNCIL UNANIMOUSLY APPROVED TWO IMPORTANT ITEMS. ONE ITEM 64 RELATES TO THE SINGLE MOST IMPORTANT ACTION WE CAN TAKE WITH REGARDS TO ENERGY EFFICIENCY OF EXISTING HOMES AND BUILDINGS DRAMATICALLY REDUCING THE DEMAND FOR MORE ELECTRICITY FOR AUSTIN ENERGY. AND THEN ITEM 57, WE'VE ASKED THE CITY MANAGER TO CRAFT WHAT WILL BE AN UNPRECEDENTED PUBLIC PROCESS WHEREBY THIS COMMUNITY WHO OWNS THE ELECTRIC UTILITY FUNDAMENTALLY WILL HELP US STEER THE LONG-TERM STRATEGIC PLAN FOR THE GENERATION OF ELECTRICITY WITHIN ITS BOUNDARIES. SO THANK YOU. TIMELY TOPIC. JENNIFER GALE, WELCOME. YOU'LL HAVE THREE MINUTES TOLD BY PAUL ROBBINS.

THANK YOU, MAYOR WYNN AND CITY COUNCIL. IT'S TIME TO DRINK MORE EGGNOG AND STAY WAYAWAY FROM DRIVING AND DRINKING ALCOHOL. IT'S TIME TO ENJOY FAMILIES. WINTER WONDERLAND GOES LIKE THIS. (music) SLEIGH BELLS RING (music) (music) ARE YOU LISTENING (music) (music) IN THE LANE SNOW IS GLISTENING (music) (music) A BEAUTIFUL SIGHT (music) (music) WE'RE HAPPY TONIGHT (music) (music) WALKING IN A WINTER WONDERLAND (music) (music) GONE AWAY IS THE BLUE BIRD (music) (music) HERE TO STAY IS THE NEW BIRD (music) (music) HE SINGS A LOVE SONGS (music) (music) AS WE GO ALONG (music) (music) WALKING IN A WINTER WONDERLAND (music) (music) IN THE MEADOW WE CAN BUILD A SNOWMAN (music) (music) AND PRETEND THAT IS PARSON BROWN (music) (music) HE'LL SAY ARE YOU MARRIED (music) (music) WE'LL SEE NO, MAN (music) (music) BUT YOU CAN DO THE JOB WHEN YOU'RE IN TOWN

(music) (music) LATER ON (music) (music) WE'LL CONSPIRE
(music) (music) AS WE DREAM BY THE FIRE (music) (music) TO
FACE UNAFRAID (music) (music) THE PLANS WE'VE MADE
(music) (music) WALKING IN A WINTER WONDERLAND (music)
(music) IN THE MEADOW WE CAN BUILD A SNOWMAN (music)
(music) AND PRETEND THAT HE'S A CIRCUS CLOWN (music)
(music) WE'LL HAVE LOTS OF FUN WITH MR. SNOWMAN (music)
(music) UNTIL THE ALLIGATORS KNOCK HIM DOWN (music)
(music) WHEN IT SNOWS (music) (music) AND IT'S THRILLING
(music) (music) THOUGH YOUR NOSE GETS A CHILLIN' (music)
(music) WE'LL FROLIC AND PLAY (music) (music) THE ESKIMO
WAY (music) (music) WALKING IN A WINTER WONDERLAND
(music)(music) I HOPE YOU ENJOYED THAT CHRISTMAS SONG
AND THAT YOU ENJOY A VERY MERRY CHRISTMAS AND I
HOPE OUR CHILDREN ENJOY THE WINTER BREAK. THANK
YOU VERY MUCH.

MAYOR WYNN: THANK YOU, MISS GALE. NEXT SPEAKER IS
PAUL ROBBINS. WELCOME BACK, PAUL. YOU'LL HAVE THREE
MINUTES FOLLOWED BY JIMMY CASTRO.

MAYOR, COUNCIL, CITIZENS OF AUSTIN. I'M PAUL ROBBINS,
AND ENVIRONMENTAL AND CONSUMER ADVOCATE. I'M HERE
TO ASK YOU ALL TO OPEN YOUR THE SECOND
COURTHOUSE. ONE OF MY EARLIEST POLITICAL MEMORIES
AS A CHILD WAS SEEING A TV COMMERCIAL FROM LYNDON
JOHNSON'S PRESIDENTIAL CAMPAIGN. THERE WAS A MAP OF
THE UNITED STATES ON THE SCREEN AND A LITTLE
ANIMATED SAW CUTTING AWAY THE EAST COAST OF THE
UNITED STATES. THE COMMERCIAL QUOTED JOHNSON'S
OPPONENT GOLDWATER AS SAYING THE COUNTRY WOULD
BE BETTER OFF IF THE EASTERN SEABOARD WOULD, QUOTE,
FLOAT OUT TO SEA. THEN THE CARTOON MADE IT HAPPEN
AS THE EASTERN SEABOARD FLOATED OFF AND THE
COMMERCIAL ASKED, CAN MEN MAKE STATEMENTS LIKE
THIS AND BE EXPECTED TO SERVE ALL THE PEOPLE JUSTLY
AND FAIRLY? THE LAST TIME I SPOKE, I CRITICIZED THE
LOCATION OF THE NEW COURTHOUSE. I EXPRESSED
CONCERN THAT THE DISTANCE FROM PARTS OF AUSTIN
WOULD DETER PEOPLE FROM USING THE MUNICIPAL
JUSTICE SYSTEM. REMEMBER THAT AUSTIN NOW EXTENDS
TO THE HAYES COUNTY LINE. SO IN A WAY, THE HISTORICAL
COMMERCIAL I JUST CITED IS ANALOGOUS. IT HAS THE

COUNCIL SAWING AWAY SOUTH AUSTIN. DOES DO YOUR SOUTH AUSTIN CONSTITUENTS DESERVE LESS ACCESS TO JUSTICE THAN PEOPLE IN NORTH AUSTIN? AFTER I SPOKE, THE RIGHT ANSWERS TO MY INFORMATION REQUESTS TO THE CITY BEGAN TO TRICKLE IN. I DISCOVERED THAT THE CITY STAFF DID NO STUDY TO MEASURE TRAVEL TIME FROM VARIOUS PARTS OF AUSTIN. AUSTIN HAS THE WORST CONGESTION OF ANY MID-SIZED CITY IN AMERICA. SO WHY WAS THERE A TRAFFIC ASSESSMENT DONE PRIOR TO PURCHASE. THE COUNCIL WOULD LIKE TO SEE AUSTIN ASPIRE TO GREATNESS. IT IS REFLECTED IN EFFORTS TO PROMOTE CLEAN ENERGY BY CLIMATE CHANGE AND CREATE MASS TRANSIT. ALL THIS IS COMMENDABLE BUT UNDERNEATH A BIG PART OF YOUR JOB IS PROVIDING BASIC CITY SERVICES AND THE COURTHOUSE FAILS TO DO THIS TO A SIGNIFICANT PERCENTAGE OF THE POPULATION. COUNCIL, IF YOU CANNOT PROVIDE MINIMUM LEVELS OF SERVICE, THE PUBLIC WILL STOP TRUSTING YOU IN BIGGER THINGS. I'M HERE TO ASK YOU FOR A TWO COURTHOUSE SYSTEM, ONE AT THE NEW SITE IN NORTH AUSTIN AND ONE THAT SERVES SOUTH AUSTIN. IT MAY BE THAT THE SOUTH CENTRAL COULD BE AT THE CURRENT COURTHOUSE LOCATION. AUSTIN HAS GROWN ENOUGH IN POPULATION AND AREA TO JUSTIFY THIS PROPOSAL. AND AS A BASIC PUBLIC SERVICE, YOU HAVE TO PROVIDE AT LEAST REASONABLE ACCESS TO THE JUSTICE SYSTEM WHERE TRAVEL TIME IS NOT A MAJOR -- WHERE TRAVEL TIME IS NOT A MAJOR OBSTACLE. THANK YOU FOR YOUR ATTENTION. AND I INTEND TO CONTINUE THIS DISCUSSION.

MAYOR WYNN: THANK YOU, MR. ROB ROBBINS, AND FOR THE SUGGESTION. WELCOME JIMMY CASTRO.

I'M HERE TO SPEAK ON MY OWN BEHALF. THE HOLIDAY SEASON IS THE TIME FOR GIVING AND SHARING. THERE IS A CRITICAL SHORT ANNUAL OF ORGANS, TISSUES AND EYES AVAILABLE FOR DONATION. THERE ARE 96,000 AWAITING ORGAN DONATION. EVERY 13 MINUTES, A NEW NAME IS ADDED TO THE NATIONAL TRANSPLANT WAITING LIST. EVERY DAY 17 PEOPLE DIE WAITING FOR A LIFE-SAVING ORGAN TRANSPLANT. IN 2005 TEXAS LAWMAKERS CALL FOR AT CREATION OF A STATE REGIME INDUSTRY REGISTRY WHERE PEOPLE INDICATE THEIR PLAN. A KIDNEY TRANSPLANT

RECIPIENT LED THE WAY TO CREATE THE REGISTRY. IN 2007, TEXAS LAWMAKERS CHANGED THE REGISTRY TO THE GLENDA DAWSON DONATE LIFE TEXAS REGISTRY IN MEMORY OF REPRESENTATIVE DAWSON'S EFFORTS. TODAY THE GLENDA DAWSON DONATE LIFE TEXAS REGISTRY IS THE OFFICIAL STATE ORGAN, TISSUE AND EYE DONOR DONOR REGISTRY. ONCE YOU HAVE DECIDED, THE MOST IMPORTANT STEP IS TELLING YOUR FAMILY. MOST AMERICANS SUPPORT ORGAN DONATION, BUT FEW HAVE TOLD FAMILY MEMBERS THEIR DECISION TO DONATE. TALKING ABOUT ORGAN DONATION IS TALKING ABOUT THE OPPORTUNITY TO GIVE ANOTHER PERSON A SECOND CHANCE OF LIFE. YOU HAVE THE POWER TO CHANGE SOMEONE'S WORLD BY BEING AN ORGAN AND TISSUE DONOR. IT'S BEEN LIVING. IT'S ABOUT LIFE. IT'S THE GREATEST GIFT OF LIFE ONE HUMAN BEING CAN GIVE TO ANOTHER. HAVING SPENT TIME ON THE DAWES MACHINE OVER A YEAR AND HAVING BEEN A TRANSPLANT RECIPIENT SINCE MARCH 9th, 1990, ESPECIALLY WITH THE HELP FROM THE DOCTORS AND THE NURSES, FROM THE AUSTIN DIAGNOSTIC CLINIC AND THE KIDNEY TRANSPLANT CENTER, I ALONG WITH MY FAMILY KNOW THE TRUE MEANING OF THE GIFT OF LIFE. THANK YOU, MAYOR WYNN.

MAYOR WYNN: THANK YOU, MR. CASTRO AND YOU LOOK WELL. DON WILLIAMSON. I THOUGHT I SAW DON EARLIER. HE WAS TO BE FOLLOWED BY GUS PENA. WELCOME, GUS. YOU HAVE THREE MINUTES TO BE FOLLOWED BY KAREN HADDEN.

GOOD AFTERNOON, COUNCIL. CITY MANAGER, GUS PENA. I'M NOT HERE TO SPEAK FOR ANYBODY BUT SOME CONCERNS PEOPLE HAVE RELAYED TO ME. NUMBER ONE WITH REGARDS TO THE AUSTIN POLICE DEPARTMENT, I HAVE A LOT OF FRIENDS IN THE POLICE DEPARTMENT. I HAVE A LOT OF FAMILY IN THE POLICE DEPARTMENT, ALSO. BUT THERE ARE SOME CONCERNS THAT SOME OF THE OFFICERS ARE TREATING SOME OF THE TAXPAYERS INAPPROPRIATELY AND WITH DISRESPECT. AND I'LL TURN IT OVER TO THE CHIEF. ALSO, STAFF, YOU NEED TO REMEMBER IF A CITIZEN BRINGS A CONCERN UP TO YOU, YOU SHOULD RESPECT AND DON'T DISRESPECT THAT CITIZEN BY MAKING INAPPROPRIATE COMMENTS. THE SECOND ISSUE, AND I APPRECIATE WHAT THEY HAVE DONE OUT THERE IN THE STREETS. I WILL TELL

YOU THIS MUCH. AGAIN, I WOULD HOPE THAT YOU IN YOUR INFINITE REASON WILL OPEN UP MORE OVERTIME FOR THE HOLIDAYS. WE NEED MORE OFFICERS OUT THERE TO ADDRESS CRIME. CRIME IS ON THE INCREASE. CITY MANAGER SEARCH, Y'ALL ENTERED INTO AN AGREEMENT WITH ARCAS SEARCHING FOR CANDIDATES FOR THE CITY MANAGER. INPUT FROM STAKEHOLDERS, WHO WERE THE STAKEHOLDERS? DEFINE WHAT STAKEHOLDERS MEAN? IS IT THE PUBLIC? IS IT Y'ALL? ELECTED OFFICIALS? NO. IT'S THE PUBLIC. TAXPAYERS. SEE IF YOU CAN OPEN UP THIS. A COUPLE OF STATEMENTS WERE MADE BY A COUPLE OF COUNCIL MEMBERS ABOUT A MORE OPEN PROCESS. MORE OPEN PROCESS IS WHAT WE ASKED OF Y'ALL. THIS IS NOT HAPPENING ON SOME INSTANCES. WE NEED MORE OPEN PROCESS. AND HAVE A SAY ON THE CITY MANAGER, ALSO. NOT JUST WHAT Y'ALL WANT, WHAT WE WANT, ALSO. NUMBER THREE, MOST IMPORTANT, MAYOR AND COUNCIL MEMBERS, WE HAVE A COUPLE OF NEIGHBORHOOD CENTERS NOT BEING STAFFED BY SOCIAL WORKERS. A SOCIAL WORKER AS DEFINED BY ITS DUTIES AT THE HUMAN RESOURCE DEPARTMENT DOES VARIOUS DUTIES INCLUDING RECEIVING CONCERNS FROM THE COMMITTEE AND HELPING THEM OUT. THIS INCLUDES JOB, COULD BE HEALTH COVERAGE, SOCIAL SERVICE ISSUES, WRAP-AROUND SERVICES. IF YOU HAVE THREE NEIGHBORHOOD CENTERS THAT DON'T HAVE SOCIAL WORKERS, IT COMPROMISES THE SERVICES THE CITY PROMISES TO THE CITIZENS. READ THE PREAMBLE OF THE CITY CHARTER. LET'S NOT VIOLATE THE PREAMBLE -- VIOLATE THE PREAMBLE. AGAIN, I WILL SAY THIS MUCH. 20 PEOPLE DOWN TO THE ST. JOHNS NEIGHBORHOOD FOR CHRISTMAS, YOU KNOW, APPLICATIONS AND THEY WERE TREATED FRIENDLY WITH THE STAFF AT ST. JOHNS. I USED TO BE A BAILIFF AT MUNICIPAL COURTS AND WORKED WITH PARKS AND RECREATION. WE HAVE GOOD EMPLOYEES BUT WE HAVE 10% WHO HAVE THEIR FAULTS, ALSO. BUT I'D LIKE TO COMMEND THEM, ST. JOHNS NEIGHBORHOOD CENTER DID AN OUTSTANDING JOB. 256 PEOPLE WERE SEEN. APPLICATIONS WERE FILLED OUT A DAY. THE GAP WIDENS BETWEEN THE HAVE'S AND HAVE NOT'S. I WILL SAY THIS. A LOT OF PEOPLE DON'T WANT TO SAY HAPPY HOLIDAYS. IF IT WASN'T FOR JESUS CHRIST BIRTHDAY, WE WOULDN'T HAVE

BIRTHDAYS ON CHRISTMAS DAY OR CHRISTMAS. PEOPLE REMEMBER IT'S BECOME TOO COMMERCIALIZED. I'LL WRAP IT UP, MAYOR, SAYING MERRY CHRISTMAS TO Y'ALL. Y'ALL DO GOOD WORK, ALSO. I DON'T COMPLAIN ABOUT A LOT OF IT. BUT CITY MANAGER SEARCH, KEEP THE PUBLIC INVOLVED, ALSO. THANK YOU.

MAYOR WYNN: THANK YOU, MR. PENA. HAPPY HOLIDAYS TO YOU AS WELL. LET'S SEE. COUNCIL, I'VE BEEN INFORMED THAT KAREN HADDEN HAD SIGNED UP WISHING TO ADDRESS US AND CALLED AND HAD TO CANCEL THAT APPEARANCE. WITHOUT OBJECTION, DAVE RICHARDSON IS HERE TO HERE WHO OBVIOUSLY WE KNOW WELL FROM OAK HILL. I'D LIKE TO HAVE DAVE REPLACE KAREN. AND OFFER HIM THREE MINUTES. WELCOME, DAVE.

THANK YOU, MAYOR WIN. MAYOR PRO TEM. I WANT TO FIRST THANK YOU FOR ALLOWING ME TO SPEAK TO YOU ON SUCH SHORT NOTICE. MY NAME IS DAVID RICHARDSON. I'M HERE ON BEHALF OF THE OAK HILL NEIGHBORHOOD PLANNING CONTACT TEAM. AND I WANT TO THANK THE STAFF FOR THE WORK THAT THEY HAVE DONE AND OUR PLANS SO FAR. HOWEVER, WE DO NEED MORE TIME, BUT IT'S NO REFLECTION ON THE WORK AND DEDICATION OF THE STAFF. INSTEAD, IT'S MORE THAT WE HAVE PEOPLE IN THE COMMUNITY THAT WANT TO CONTRIBUTE MORE IDEAS ABOUT ENVIRONMENTAL PRESERVATION AND FINANCING INFRASTRUCTURE IN OUR COMMUNITY. AND WE'D LIKE TO HAVE A PLAN TO CAPTURE THOSE IDEAS. WHEN IT COMES TO COUNCIL AND THE PLANNING COMMISSION. WITH NO OBJECTION, I'D LIKE TO YIELD THE BALANCE OF MY TIME TO FRANK BOMAR AND MICKEY BENTLEY.

MAYOR WYNN: WITHOUT OBJECTION. WELCOME FRANK AND MICKEY. YOU HAVE ABOUT TWO MINUTES LEFT.

MAYOR, COUNCIL MEMBERS, THANK YOU FOR HEARING US TODAY. I'M ON THAT OAK HILL NEIGHBORHOOD PLANNING AND CONTACT TEAM. IT'S BEEN A VERY CONFUSING PROCESS. WE ARE TRYING TO GET OUR ARMS AROUND ALL OF THE VARIABLES AND THE DIVERSITY OUT THERE, THE TOPOGRAPHY, THE TRAFFIC, THE UNAVAILABILITY OF WHAT TEX NOT IS GOING TO DO AND CAP METRO. AND MANY OF

THE MEMBERS OF THE CONTACT TEAM STILL HAVE A LOT OF QUESTIONS TO ASK. WE'RE TRYING TO BE COMPREHENSIVE ABOUT IT AND WE'D LIKE TO ASK YOU TO EXTEND THE DEADLINE ON THE PROPOSAL UNTIL THE 15th OF MARCH. THANK YOU.

MAYOR WYNN: THANK YOU, FRANK. MICKEY, WELCOME BACK.

MAYOR AND MAYOR PRO TEM, MEMBERS OF THE CITY COUNCIL. I'M ALSO ON THE OAK HILL PLANNING CONTACT COMMITTEE. MANY MEMBERS OF THE OAK HILL PLANNING CONTACT TEAM HAVE BEEN WORKING VERY DILIGENTLY AND WE'VE BEEN MEETING THREE AND FOUR TIMES A MONTH TO TRY TO PUT OUR ARMS AROUND THIS. BUT THERE'S A GREAT DEAL OF CONFUSION GIVEN THE CODIFICATION OF ZONING AND IMPERVIOUS COVERAGE, MANDATES, CRITICAL WATER CONTROL ZONES, TRAFFIC IMPACT. THE CITY TAXES OAK HILL, BUT THE STILL IS NOT GIVING ALL OF OAK HILL ALL OF THE SERVICES THAT THEY ARE SUPPOSED TO BY STATE LAW. OAK HILL HAS A UNIQUE PROBLEM. IT HAS ASSETS OF OVER 3900 ACRES THAT'S NOT DEVELOPED AT ALL RIGHT NOW THAT IS COMING DOWN THE PIKE. THAT'S A VERY IMPORTANT ASSET, NOT ONLY TO OAK HILL, BUT TO THE CITY OF AUSTIN. WE HAVE TRANSIT PROBLEMS IN THE CAPITAL METRO NOW TALKING ABOUT THEY DON'T HAVE A MILLION DOLLARS FOR THESE MASS TRANSIT BUSES. AND JUST GOT TWO OR THREE OTHER THINGS. TEX-NOT IS NOT FINISHED WITH THEIR PLAN OUT THERE WITH THEIR TOLL ROAD. AND WE BEG THAT YOU WILL TALK TO THE CITY MANAGER AND TO THE STAFF AND TO THE PLANNING AND ZONING TO GIVE US AT LEAST UNTIL THE 15th OF MARCH. THANK YOU VERY MUCH.

MAYOR WYNN: THANK YOU, MR. BENTLEY. WE'LL TAKE THAT INTO CONSIDERATION. COUNCIL MEMBER MARTINEZ.

I WANTED TO ASK MR. BURNS IF HE COULD GIVE US SOME UPDATES ON THE PENDING ITEMS THAT ARE LEFT AND WHETHER YOU THINK WE CAN BY PROVIDING THE EXTENSION OF TIME WE CAN COME TO AN AGREEMENT. AND WHAT THAT DOES FOR THE OTHER NEIGHBORHOOD PLANS THAT ARE IN THE QUEUE AND THE COUNCIL DIRECTIVE TO

HAVE ALL OF THESE NEIGHBORHOOD PLANS DONE BY A DEFINITIVE DATE IN 2010.

DIRECTOR OF NEIGHBORHOOD AND PLANNING. I WANT TO DISCLOSE I LIVE IN OAK HILL AND I RELIED MOSTLY ON MY STAFF TO CARRY THIS PROCESS FORWARD. HAVING SAID THIS, OAK HILL IS A VERY LARGE AREA, OUR LARGEST PLANNING AREA WE'RE WORKING ON. IT HAS SEVERAL MAJOR ISSUES INVOLVED. THE FINALIZATION OF WHAT HIGHWAY 290 WILL LOOK LIKE. IT HAS ENVIRONMENTAL REGULATIONS AS MENTIONED BY MAKING IT AN S.O.S. ORDINANCE AND LOOKING AT REDEVELOPMENT ORDINANCES THAT YOU HAVE RECENTLY AMENDED. AND THE CONCERN THAT STAFF IS BRINGING FORWARD IS THAT WE ARE TRYING TO MOVE EXPEDITIOUSLY. WE MADE PROMISES TO YOU, COUNCIL, WE WOULD TRY TO FINALIZE OUR PLANS FOR 2010. AND IN GENERAL, THERE MAY BE OTHER PLANS COMING DOWN THE ROAD THAT WE WILL NOT BE ABLE TO MEET OUR DEADLINE. WE CERTAINLY, IF IT IS COUNCIL'S WISHES TO WORK WITH THIS, WE COULD GIVE THEM MORE TIME AND MOVE THIS ON. JUST RECOGNIZING THAT THERE MAY BE OTHERS THAT ARE COMING DOWN. WE'RE GETTING CLOSE TO THE END. BY 2010 WE WILL HAVE FINISHED THE CORE. THERE ARE NEIGHBORS ON THE NORTHEAST SIDE NEAR 35 THAT ARE AWAITING. THERE'S A LITTLE STRETCH NEAR THE NORTH PART, NORTHERN PART ON MOPAC BETWEEN 183 AND MOVING SOUTH DOWN ABOUT 35TH STREET. AND THEN WE HAVE ABOUT THREE NEIGHBORHOODS ON THE FAR SOUTH SIDE. AND SO THOSE ARE THE THREE AREAS THAT WE HAVE LEFT. SO WE CAN CERTAINLY WORK WITH THESE CERTAINLY WORK WITH THESE FOLKS, GIVE THEM A LITTLE MORE TIME. JUST REALIZING THERE MIGHT BE A LITTLE TIME ON THE OTHER END THAT WE WANT TO BE ABLE TO FINISH THAT GOAL OF 2010.

MAYOR WYNN: COUNCIL MEMBER KIM.

I WAS LOOKING AT A PREVIEW OF THE THREE MODEL. PETE COLLINS HAS HIS STAFF WORKING ON. AND IT'S A BUILD-OUT OF DOWNTOWN AND THEY ARE WORKING ON THE SOUTH SHORE OF TOWN LAKE. THAT'S SOMETHING THAT THE CITY OF TOWN LAKE IS ASKING US TO PROVIDE TO THEM AS THEY

ARE WORKING ON ISSUES WITH WATERFRONT OVERLAY. I'M WONDERING SINCE WE HAVE FUTURE NEIGHBORHOOD PLANS WE'RE WORKING ON IF WE CAN MAKE THIS TOOL AVAILABLE TO THOSE NEIGHBORHOODS THAT ARE WORKING ON THEIR PLANS AS IT BECOMES AVAILABLE BECAUSE 3-D MODELING IS SOMETHING THAT HELPED THE NEIGHBORHOOD TO VISUALIZE WHAT THE BUILDOUT SENIO WOULD LOOK LIKE AS THEY GO THROUGH ZONINGS AND MIXED URBAN AND SUBURBAN. IT WILL HELP THEM PUT TOGETHER AND CREATE RECOMMENDATIONS AND ALSO LOOKING AT TOOLS THAT WE CAN USE IN THE CITY TO HELP THEM WHEN MAKING THOSE DECISIONS.> p

MAYOR WYNN: WE CAN TALK TO PETE ABOUT THIS NEW TOOL AS WE GO INTO SOME OF THE NEWER PLANNING AREAS AND SEE IF WE CAN MAKE THAT AVAILABLE AND LOOK AT THAT.

THANK YOU.

MAYOR WYNN: THANK YOU. QUESTIONS OF STAFF? COMMENTS? THANK YOU, GREG.

THANK YOU.> p

MAYOR WYNN: SEE YOU AT 4:00. OUR NEXT SPEAKER SIGNED UP IS JOHN SMITH. JOHN SMITH SIGNED UP WISHING TO ADDRESS US SPECIFICALLY ON NUCLEAR ENERGY, AS DID MATTHEW JO. WELCOME, MATTHEW. YOU WILL HAVE THREE MINUTES FOLLOWED BY STEPHANIE CUNNINGHAM.

GOOD AFTERNOON, MAYOR. GOOD MORNING, COUNCIL MEMBERS. I'M HERE TODAY TO SPEAK ON THE SUBJECT OF NUCLEAR ENERGY. SOON THE NUCLEAR SALESMAN WILL COME KNOCKING AT YOUR DOOR IF HE HASN'T ALREADY. THE SIMPLEST WAY I CAN PUT THIS IS DON'T BUY WHAT HE'S TRYING TO SELL YOU. HE WILL CLAIM THAT NUCLEAR ENERGY IS SAFE, SECURE AND COST EFFECTIVE. WHEN HE COMES, TELL HIM YOU'RE NOT INTERESTED. AS HE BEGINS TO PEDDLE HIS WARES IN FRONT OF YOU, HE WILL CLAIM HE CAN CONSTRUCT HIS NUCLEAR REACTORS FASTER THAN IN THE PAST. IT'S BEEN STREAMLINED NOW. ACCORDING TO

THE "NEW YORK TIMES" LAST WEDNESDAY, THE HASTE TO MAKE NEW REACTORS IS A KNEE-ACKI PRODUCING DELAYS. EVEN THOUGH HIS ADVANCED BOILING WATER REACTOR DESIGN IS A KNEE-ACKI PREAPPROVED BY THE NUCLEAR REGULATORY COMMISSION, THE SALESMAN NRG INKED WANTS PERMISSION FOR 16 N K DESIGN CHANGES TO IT. EVEN IF HE GETS APPROVAL TO BUILD STP3 AND 4, THE CAPACITY OF NUCLEAR SUPPLIERS IS LIKELY TO BE STREAMED WITH 31 LIKELY N K REQUESTS AND COUNTING. AND THAT DOESN'T COUNT INTERNATIONAL ORDERS. HE GOT HIS ASSILICATION INTO THE NRC IN AT THE PRESENT TIME SEPTEMBER. THE NRC HAS FOUND DISTINGUISHES IN THE APPLICATION. BEFORE HE'S MADE HIS PITCH TO YOU, HE'S ALREADY FALLING BEHIND SCHEDULE AND WANT YOU TO INVEST IN SOMETHING THAT'S INCOMPLETE. I WOULD THINK THAT THE APPLICATION SHOULD AT LEAST BE COMPLETE BEFORE YOU EVEN CONSIDER IT. ON THE CLAIM THAT NUCLEAR PLANTS ARE SAFE AND MOST RELIABLE, U.S. TODAY REPORTED YESTERDAY THAT THERE HAVE BEEN 46 NUCLEAR PLANT SHUTDOWNS OF A YEAR OR MORE OVER THE PAST THREE DECADES. THIS CLEARLY INDICATES THAT PLANTS ARE NOT OPERATING AT YOU. 110. NOW AUSTIN HAS AN ENERGY CHALLENGE AHEAD OF IT BECAUSE THE CITY IS GROWING. HOWEVER WE DON'T NEED MORE NUCLEAR POWER. AUSTIN HAS DONE A FANTASTIC JOB IN BECOMING A NATIONAL WIDE LEADER IN TRANSITIONING TO A SUSTAINABLE CITY, TO ACHIEVE GREATER SUSTAINABILITY. HIS STRENGTHENING YOUR EFFORTS TO REDUCE INEFFICIENCY. HOUSEHOLDS AND BUSINESSES DON'T USE AUSTIN ENERGY THEY BUY. MUCH OF IT IS WASTED, MONEY DOWN THE DRAIN DUE TO POOR BUILDING DESIGN AND APPLIANCES THAT USE OLD TECHNOLOGY. THE CITY'S ENERGY EFFICIENCY PROGRAMS ARE AN EXAMPLE TO OTHER TEXAS CITIES OF HOW CHEAP AND FAST SAVING ENERGY IS COMPARED TO CREATING IT. NUCLEAR ENERGY IS UNSUSTAINABLE. TO INVEST IN NRG'S THIS WOULD REPRESENT A GIANT STEP BACKWARD. TO PUT IT IN PERSPECTIVE, THINK OF ALL THE POTENTIALLY RECOVERABLE WASTED ENERGY IN THE CITY AS A POURING OF ENERGY CAPACITY. APPLY THAT PORTION TO THE PROPOSED NUCLEAR CONSTRUCTION OF THE SOUTH TARRANTS PROJECT. YOU CAN COUNT THAT AS NOT JUST

WASTED ENERGY, BUT WASTED MONEY. SO I URGE YOU TO STUDY THE ALTERNATIVES BEFORE DECIDING WHETHER TO INVEST IN MORE NUCLEAR ENERGY. WHAT COULD YOU BUY IN ENERGY EFFICIENCY, FOR THE SAME AMOUNT YOU'D NEED FOR THE NUCLEAR PLANT? EFFICIENCY PROGRAMS ARE CHEAPER AND FASTER AT MEETING DEMAND THAN LARGE-SCALE NUCLEAR CONSTRUCTION PROJECTS. THEY CREATE JOBS IN AUSTIN. THEY DON'T REQUIRE AN EMERGENCY EVACUATION PLAN AND THEY'RE THE BEST ABOUT THIS CITY. ITS COMMITMENT TO SUSTAINABILITY. TELL THE NUCLEAR SALESMAN YOU COULD HAVE HEARD HIS PITCH BEFORE AND YOU'RE NOT BUYING THIS TIME. THANK YOU.> p

MAYOR WYNN: THANK YOU, MATTHEW. AND FINAL SPEAKER IS STERNHANIE CUNNINGHAM. STERNHANIE CUNNINGHAM SIGNED UP WISHING TO ADDRESS CHANGES TO FARM TO MARKET LANS. PROBABLY SHE IS NOT WITH US. SO, COUNCIL, THAT CONCLUDES OUR CITIZEN COMMT TODAY. AND WE HAVE NO MORE DISCUSSION ITEMS PRIOR TO TAKING UP A FEW OF THEM IN CLOSED SESSION. SO WITHOUT OBJECTION, WE'LL GO INTO CLOSED SESSION PURSUANT AND POTENTIALLY DISCUSS ITEM 74, LEGAL ISSUES, 76 L. WHAT ISSUES REGARDING ANNEXATION, ITEM 77 LEGAL ISSUES REGARDING THE POWER PLANT BEING AS PROPOSED. TENTATIVELY ITEM 79 LEGAL ISSUES REGARDING WATER TREATMENT PLANT NUMBER 7. WE ALSO MAY TAKE UP LEGAL ISSUES RELATING TO THE THREE ISSUES PULLED THIS MORNING REGARDING SERVICE EXTENSION REQUESTS OR S.C.R.'S ITEMS 8, 9, 10, 11, 12 AND 13. AND PURSUANT TO SECTION 551.072, THE MEETING MAY TAKE UP REAL ESTATE MATTERS. NUMBER 5 THIS REGARDING OPEN SPACE PROJECT UTILIZING FUNDS FROM OUR NOVEMBER '06 ELECTION AND ITEM 75 THIS ESTATE MATTERS THIS THE WATER TREATMENT PLANT NUMBER 7. SO THOSE ARE THE ITEMS WE MAY TAKE UP IN CLOSED SESSION. WITHOUT OBJECTION, WE ARE IN CLOSED SESSION. WE ANTICIPATE THAT BEING A LENGTHY EXECUTIVE SESSION AND US NOT THIS ZONING CASES. THANK YOU VERY MUCH. WE'LL COUNT DOWN WE ARE OUT OF OUR CLOSED MEETING. WE TOOK UP THE MATTER OF A LOW-COST TERMINAL AT OUR AIRPORT. THERE

WILL BE NO MORE BUSINESS BEFORE THIS SPECIAL CALLED MEETING OF THE CITY COUNCIL. WE NOW STAND ADJOURNED. THIS TIME THERE WILL BE A QUORUM PRESENT, I WILL CALL BACK TO ORDER THIS NORMALLY CALLED MEETING OF THE OFFICE OF CITY COUNCIL. IN CLOSED SESSION AS ANNOUNCED EARLIER WE TOOK UP A NUMBER OF ITEM, INCLUDING BOTH LEGAL AND REAL ESTATE MATTERS, RELATED TO WATER TREATMENT PLANT NUMBER 4. WE HAVE ONE POSTED ACTION ITEM RELATED TO THAT DISCUSSION, AND I WOULD WELCOME A BRIEF STAFF PRESENTATION FROM ASSISTANT CITY MANAGER RUDY GARZA.

GOOD AFTERNOON, MAYOR. RUDY GARZA, ASSISTANT CITY MANAGER. I WILL BE GOING THROUGH A QUICK PRESENTATION. THE ACTION BEFORE YOU IS THE SITE SELECTION FOR WATER TREATMENT PLANT NUMBER 4. I WANT TO QUICKLY GO THROUGH THE KEY CRITERIA WE USED AS WE DETERMINED THE SITE FOR THE TREATMENT PLANT, FOCUSING ON THREE MAIN CATEGORIES, ENVIRONMENTAL CRITERIA, ENGINEERING CRITERIA AND ALSO FINANCIAL CRITERIA AS WE MOVE FORWARD. SPECIFICALLY ON THE ENVIRONMENT CRITERIA, WE LOOKED AS, AS WE SEARCHED ALL THE AVAILABLE SITES WE PAID SPECIFIC ATTENTION TO THE PRESENCE OF THE ENDANGERED SPECIES OR SALAMANDER ON THE SITE OR IMPACT TO SALAMANDERS, ALSO ON WATER QUALITY SENSITIVITY ISSUES, INCLUDING GROUND WATER AND SERVICE ISSUES, AND OVER ALL LOOKED AT SPECIFIC ISSUES REGARDING THE ENVIRONMENT, ANY SPRINGS, HEAVY TREE, WOODLAND AREA, CREEKS, AND THE OTHER IMPACTS TO THE ENVIRONMENT. FINALLY, THE LAST TWO ITEMS THAT WERE KEY IN THE SELECTION IS GREEN HOUSE GAS, DRIVEN BY THE PROXIMITY AND DISTANCE OF THE SITE. AND FINALLY, REGARDING THE ENVIRONMENT, WE ARE ALSO VERY AWARE OF THE IMPACTS OF SURROUNDING SITES, THE NEIGHBORHOOD IMPACTS, THE TRAFFIC, LIGHT, NOISE AND OTHER ISSUES THAT WOULD IMPACT THE SURROUNDING AREA TO ANY POTENTIAL SITE. ON THE ENGINEERING CRITERIA THAT WERE VERY KEY AS WE MOVE FORWARD IN SITE SELECTION WE'RE FOR, IF YOU RECALL IN THE LAST PROCESS, THE SLOPE AND ELEVATION OF THE

POTENTIAL SITE IS SOMETHING KEY TO BE ABLE TO LAY OUT AND BUILD IS A PLANT THAT WOULD MEET ALL OF OUR OPERATIONAL NEEDS SO MOVING FORWARD WE ALSO PAID VERY SPECIFIC ATTENTION TO THE SLOPE OF THE POTENTIAL SITES AND ALSO THE CONFIGURATION 6 THE OF THE SITE SO WE COULD BUILD A PLANT THAT WAS OPERATIONALLY SUFFICIENT AND MEET OUR NEEDS, COMPATIBLE WITH OUR EXISTING SYSTEM, OUR EXISTING DISTRIBUTION SYSTEM AND THE POTENTIAL SITE, THE PLANNED SITE FOR OUR WATER INTAKE. AND SIMILAR TO THE ENVIRONMENTAL CONCERNS, WE WANTED TO ENSURE THAT ANY POTENTIAL SITE WAS READILY ACCESSIBLE TO POWER SOURCES AND ALSO ACCESS TO THE SITE WITH ANY MAJOR ROAD. SPECIFICALLY, REGARDING THE ENDANGERED SPECIES AND STATUS OF POTENTIAL SITES, WE WANTED TO, OUR PRIMARY TARGET WAS TO GET OUTSIDE OF THE DCT OR KNOW CLEARLY THE BOUNDARIES IN THE ACQUISITION ZONE. ALSO, VERY COGNIZANT OF THE IMPACT AND THE PROXIMITY TO ANY PLANTS OR SALAMANDER AND THE CHAPTER 26 STATUS OF ANY POTENTIAL SITES. FINALLY, ON THE CREEK CRITERIA, WE WANTED TO ENSURE THAT WHATEVER SITE WE SELECTED WE WERE ABLE TO COMPLY WITH OR WORK WITHIN THE EXISTING LAND DEVELOPMENT CODE, KNOWING THAT WE WERE WORKING WITH THE COVERAGE ISSUES WITH LAKE TRAVIS BEING A 20% LIMIT AND BULL CREEK 40%, AND THAT WE WERE ABLE TO CONSTRUCT THE PLANT IN RELATION TO WITHIN THE SET BACKS NECESSARY FOR PROTECTED TREES OR CESs AND ALSO AWARE OF THE EXISTING ZONING FOR THAT SITE AND ZONING THAT MADE NECESSARY, MAY BE NECESSARY TO CHANGE IN ORDER TO ACCOMMODATE THE CONSTRUCTION OF THE TREATMENT PLANT. ALL OF THESE CRITERIA WERE PREVIOUSLY PRESENTED AT THE BEGINNING OF THIS PROCESS BY THE COUNCIL AND APPROVED BY THE COUNCIL. WE SHARED THE CRITERIA WITH THE ENVIRONMENT BOARD AND WASTE WATER COMMISSION. WE'VE GONE THROUGH THIS VERY COMPREHENSIVE PROCESS AND WITH OUR PRIMARY GOAL OF GETTING OUTSIDE OF THE ACQUISITION ZONE AND MEETING THOSE KEY CRITERIA. APPLYING ALL OF THOSE CRITERIA WE WERE ABLE TO IDENTIFY 83 SITES THAT MET ALL OF THE CRITERIA, THEN WE LOOK AT EACH OF THE INDIVIDUAL CATEGORIES

TO DETERMINE WHICH SITES MOST APPROPRIATELY MET THE COUNCIL'S DIRECTION AND ALSO MET OUR SYSTEM NEEDS, PRIMARILY AS WE PREVIOUSLY IDENTIFIED A TREATMENT PLANT THAT WOULD ACCOMMODATE A 300 MBD PLANT IN FULL BUILD UP. FOR ME, THAT PROCESS IDENTIFIED TWO SITES THAT MET ALL OF THE CRITERIA. OF THOSE TWO SITES WE DO HAVE A SITE THAT WE ARE REFERRING TO CURRENTLY AS SITE 34 THAT MEETS ALL OF THE KEY CRITERIA, INCLUDING A VERY IMPORTANT COMPONENT OF TIMING. AS YOU RECALL, THE COUNCIL ACTION IN AUGUST WAS TO ENSURE THAT WE NOT HAVE A DELAY FURTHER THAN ONE YEAR, AND THAT WAS DUE TO BEING ABLE TO TAKE ADVANTAGE OF THE BENEFITS OF THE WATER CONSERVATION TASK FORCE STRATEGIES THAT ALLOWED US TO TAKE ADVANTAGE OF THAT ONE-YEAR DELAY. SO THE ACTION ITEM TODAY IS TO ALLOW THE COUNCIL TO EXECUTE PURCHASE OF THE CONTRACT FOR SITE 34 WHICH IS APPROXIMATELY 95-ACRES LOCATED AT THE SOUTHWEST CORNER OF R6-20. AND WE CONTINUE NEGOTIATIONS ON THE SECONDARY SITE. THAT CONCLUDES OUR PRESENTATION.

MAYOR WYNN: THANK YOU, MR. GARZA. QUESTIONS FROM STAFF, COUNCIL, COMMENTS? I WOULD LIKE TO JOIN EVERYONE IN THANKING THE ENVIRONMENTAL BOARD AND THE WASTE WATER COMMISSION FOR REALLY DRIVING THAT CRITERIA AND THEN SET STAFF ON THEIR WAY AND FRANKLY IT IS REALLY ENCOURAGING TO KNOW THAT STAFF HAS IDENTIFIES TWO SITES THAT MEET THOSE CRITERIA, AND GLAD TO KNOW THAT THEY ESSENTIALLY HAVE ONE RIGHT FOR CONTRACT EXECUTION. THOUGHTS, COMMENTS, COUNCIL? COUNCIL MEMBER LEFFINGWELL.

I'M ASSUMING WE DON'T HAVE ANYBODY SIGNED UP TO SPEAK?

MAYOR WYNN: GOOD QUESTION. LET'S SEE HERE. I'LL GET TO IT. WE HAD ONE CITIZEN SIGN UP. CAROL LEE SIGNED UP IN FAVOR, BUT ONLY TO SPEAK IF WE HAVE QUESTIONS OF HER. THANK YOU, CAROL.

LEFFINGWELL: IN THAT CASE, MAYOR, I'M READY TO MAKE A MOTION IN THE FORM OF A RESOLUTION, BE IT RESOLVED

THAT THE CITY COUNCIL CITY OF AUSTIN COUNCIL AUTHORIZES THE CITY MANAGER TO NEGOTIATE AND EXECUTE ALL DOCUMENTS NECESSARY TO PURCHASE APPROXIMATELY 95-ACRES LOCATED AT THE CORNER OF RM 4-20 IN BULACOLO FOR A POTENTIAL SITE FOR A WATER TREATMENT PLANT, USING SEPTEMBER 1984 PROP 4 BOND FUNDS, AND YET FURTHER RESOLVE THAT THE COUNCIL AUTHORIZE THE CITY MANAGER TO CONTINUE NEGOTIATIONS FOR PURCHASE OF A BACK UP SITE FOR A WATER TREATMENT PLANT USING 1984 PROPOSITION 4 BOND FUNDS.

MAYOR WYNN: MOTION BY COUNCIL MEMBER LEAF LEFFINGWELL. SECOND BY COUNCIL MEMBER MARTINEZ TO APPROVE THIS ITEM NUMBER 81. AUTHORIZING NEGOTIATION AND EXECUTION FOR THIS ONE SITE IDENTIFIES, BUT ALSO AUTHORIZING THE CITY MANAGER TO CONTINUE NEGOTIATIONS FOR THE SECOND SITE AS WELL. COUNCIL MEMBER KIM.

KIM: THIS HAS BEEN A LONG PROCESS TO GET TO THIS POINT AND WE'VE KIND OF GONE THROUGH LOT OF DIFFERENT SITES AND THE SITE IS THE LESS OPTIMAL ONE BECAUSE OF ENVIRONMENT ALFIE TOURS THERE AND ALSO SPECIES, GOLDEN CHEEK WARBLE HABITAT AND OTHER THREATENED SPECIES SO I WANTED A CHANCE TO LOOK AT THIS AND ANYTHING, BEFORE WE PROCEED WITH ANYTHING THAT COULD NOT BE REVOKED IN TERMS OF ACTU CONSTRUCTION, THERE ARE A LOT OF DIFFERENT STEPS ALONG THE WAY, FOR EXAMPLE THE PONDS THAT NEED TO BE BUILT, ANY KIND OF CONTRACT, I WANT TO MAKE SURE THAT WE ARE KEEPING THEM INFORMED, AND ALSO THAT THEY HAVE A CHANCE TO PROVIDE FEEDBACK TO US AS TO ANY KIND OF MITIGATION WE MAY NEED. SO I THOUGHT WE DO THAT, AND IF FOR SOME REASON, I THINK THIS IS A GOOD SITE, JUST ON THE SURFACE OF IT, BUT WE WON'T REALLY KNOW UNTIL WE ACTUALLY START EXCAVATING THE SITE AND SEEING WHAT WE COME UP WITH, BUT ON THE SURFACE IT LOOKS FINE. IF FOR SOME REASON IT TURNS OUT TO NOT BE FEASIBLE WE ARE STILL PRESERVING ALL OUR OPTIONS, THAT COULD BE EXPANSION, OR EVEN GOING BACK TO BULL CREEK. SO I THINK THAT WE NEED TO MAKE SURE THAT WE HAVE THIS BACK UP SITE WHICH ISN'T BEING

IDENTIFIED RIGHT NOW, WE ARE STILL PROCEEDING ON NEGOTIATING THAT, BUT WE HAVE TO KEEP ALL OUR OPTIONS OPEN. THIS IS THE BIGGEST INVESTMENT OUR CITY WILL MAKE FOR A LONG TIME TO MAKE SURE WE HAVE WATER AT A GOOD RATE FOR OUR CUSTOMERS.

MAYOR WYNN: COUNCIL MEMBER LEFFINGWELL.

LEFFINGWELL: I WOULD LIKE TO AMEND MY OWN MOTION WITH AN ADDITIONAL DIRECTION TO THE CITY MANAGER TO MAKE A FULL PRESENTATION TO THE ENVIRONMENTAL BOARD AND WASTE WATER COMMISSION, EVEN THOUGH THIS DOES MEET, AS YOU POINTED OUT AND AS THE ASSISTANT CITY MANAGER GARZA POINTED OUT IT MEETS THE CRITERIA BY THE ENVIRONMENTAL BOARD AND WASTE WATER COMMISSION SO I WANT A FULL DETAILED PRESENTATION MADE TO THE BOARDS.

MAYOR WYNN: COUNCIL MEMBER MARTINEZ, DO YOU ACCEPT THAT MOTION. WE HAVE AN AMENDED MOTION TO ITEM NUMBER 81. COUNCIL MEMBER MARTINEZ.

MARTINEZ: THANK YOU, MAYOR. I JUST WANTED TO REALLY EXTEND MY THANKS TO ALL THE STAFF. I CAN'T IMAGINE HOW HARD YOU'VE WORKED SINCE AUGUST. THIS HAS BEEN A LONG, DIFFICULT PROCESS, BUT WE MADE THE RIGHT DECISION, WE DID THE RIGHT THING, BUT PULLING BACK AND TAKING INTO THE LEADERSHIP POSITION OF COUNCIL MEMBER LEFFINGWELL'S EXPERTISE, WE NOT ONLY FOUND ONE THAT MET THE CRITERIA ABOUT TWO SITES, AND THEY WERE NOT IN A PRESERVE, AND THEY MEET ALL THE ENVIRONMENTAL CRITERIA AND THIS IS A GREAT STEP FORWARD IN FINALLY GETTING TO SOMETHING THE VOTERS APPROVED IN 1984, BUT PERSISTENCE PAID OFF SOMETIMES AND I WANTED TO COMMEND THE ASSISTANCE CITY MANAGER GARZA AND HIS ENTIRE STAFF AND TEAM. THANK YOU.

MAYOR WYNN: ANY COUNCIL MEMBER FURTHER COMMENTS ON THE MOTION? COUNCIL MEMBER McCRACKEN.

I WANT TO ADD TO COUNCIL MEMBER KIM'S COMMENTS. I SHARE THE POINT THIS IS A REAL ESTATE TRANSACTION, WE

ARE BUYING DIRT. THAT SAID, IN HEARING THE ANALYSIS OF MANY, MANY SIDES THAT WERE PERFORMED ON THIS, IT IS MY ASSESSMENT BASED ON THE INFORMATION I HAVE NOW DOES MEET THE ENVIRONMENTAL BOARD'S CRITERIA AND ALSO THE ENVIRONMENTAL BOARD IS GOING TO REVIEW THIS FOR US AS WILL THE WASTE WATER COMMISSION SO WE WILL HAVE SOME EYEBALLS TO ENSURE THIS DOES MEET THE CRITERIA LAID OUT BY THE ENVIRONMENTAL BOARD AS ALREADY REVIEWED. SO WE WILL HAVE A PUBLIC PROCESS ANALYZING THIS, AS WELL AS FURTHER DUE DILIGENCE TO ENSURE THAT THIS SITE WE ARE AGREEING TO BUY DIRT IS A SITE WE WILL BUILD A WATER PLANT ON, AND WE HAVE A BACK-UP SITE AS WELL. I WILL WANT TO CONGRATULATE THE ENVIRONMENTAL BOARD, I SEE DAVE ANDERSON IN THE BACK, YOU'VE ALL DONE AN OUTSTANDING JOB. GREAT PUBLIC LEADERSHIP, WE WOULDN'T BE HERE TODAY WITH THE OPPORTUNITY FOR TWO DIFFERENT SITES, VASTLY ENVIRONMENTALLY SUPERIOR, SO GOOD WORK HAS BEEN, EXCEPTIONAL WORK HAS BEEN DONE BY OUR BOARDS AND COMMISSIONS SO WE WILL HAVE SOME FURTHER REVIEW OF THIS, BUT TO MAKE SURE WE TIED DOWN THE REAL ESTATE PORTION OF THIS EFFORT, THAT IS WHY WE ARE HERE TODAY, BUT I DO FEEL THE CONFIDENCE THAT COUNCIL MEMBER KIM EXPRESSED AS WELL THAT WE WILL HAVE THAT REVIEW IT MAKE SURE THIS SITE DOES MEET THE CRITERIA THE ENVIRONMENTAL BOARD HAS ALREADY OUTLINES.

MAYOR WYNN: COUNCIL MEMBER COLE.

I WOULD LIKE TO CONGRATULATE EVERYONE FOR THEIR HARD WORK AND IN PARTICULAR I WANT TO POINT OUT THAT WE HAVE MADE A PRELIMINARY PRESENTATION TO THE ENVIRONMENTAL BOARD, AND THAT I'M GLAD THE STAFF IS RETURNING TO MAKE AN EVEN MORE DETAILED PRESENTATION AND DURING THAT PRELIMINARY PRESENTATION THAT CERTAIN CRITERIA WERE PRESENTED BY STAFF IN THAT THE ENVIRONMENTAL BOARD, IT IS MY UNDERSTANDING, AGREED FAVORABLY WITH THAT PRESENTATION. IS THAT RIGHT, MR. GARZA.

YES, MA'AM.

I FEEL CONFIDENT MOVING FORWARD WITH THIS MOTION TODAY TO BUY A PIECE OF DIRT AS COUNCIL MEMBER McCracken says.

MAYOR WYNN: MOTION AND SECOND ON THE TABLE. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR, PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF 7-00. THANK YOU ALL VERY MUCH. COUNCIL, ALSO EARLIER IN EXECUTIVE SESSION, IF YOU REMEMBER, WE TOOK UP LEGAL ISSUES RELATED TO SERVICE EXTENSION REQUESTS. WE HAVE A NUMBER OF THEM POSTED ON OUR AGENDA TODAY, ITEMS NUMBER 8, 9, 10, 11, 12 AND 13. I WILL ENTERTAIN A MOTION ON THOSE SERVICE EXTENSION REQUESTS. MAYOR PRO TEM MOVES THAT WE POSTPONE ITEMS 8, 9, 10, 11, 12 AND 13 FOR ONE MONTH TO OUR NEXT MEETING, WHICH IS GOING TO BE JANUARY, THURSDAY JANUARY 10, 2008. SECONDED BY COUNCIL MEMBER LEFFINGWELL. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR, PLEASE SAY AYE. OPPOSED? MOTION TO POSTPONE PASSES ON A VOTE OF 6-0 WITH COUNCIL MEMBER McCracken off the dais. SO FOLKS, I APOLOGIZE, OBVIOUSLY WE ARE RUNNING BEHIND SCHEDULE TODAY THIS BEING OUR LAST MEETING NOT ONLY OF THE YEAR, BUT ALSO FOR THE NEXT MONTH. NEVELBLY THERE IS A LOT OF ISSUES THAT HAVE TO GET HANDLED BEFORE THE END OF THE YEAR SO WE'VE BEEN SEVERAL HOURS IN CLOSED SESSION TRYING TO GET SOME OF THAT WORK ACCOMPLISHED. WE ARE NOT GOING TO BE ABLE TO GET TO OUR ZONING CASES UNTIL JUST AFTER WE COME BACK FROM THE LIVE MUSIC BREAK AND THE PROCLAMATION BREAK. WE DO HAVE A FEW MINUTES HERE BEFORE, WE CAN TAKE UP OUR MUSIC MUSIC, STAY TUNED FOR THAT, BUT WE DID HAVE A POSTED AFTERNOON BRIEFING BY JOHN STEINER, OUR CITY'S INTEGRITY OFFICER, AND I APOLOGIZE IF THIS TRUNCATED YOU TOO MUCH JOHN, BUT WE APPRECIATE A RELATIVELY BRIEF PRESENTATION ON YOUR GREAT WORK IN OUR INTEGRITY OFFICE AND THEN WE WILL BREAK FOR LIVE MUSIC AND PROCLAMATIONS AND TAKE UP OUR ZONING CASES IMMEDIATELY THERE AFTER. WELCOME, JOHN.

THANK YOU, SIR. I'M JOHN STEINER, THE CITY'S INTEGRITIES OFFICER, THIS BEING THE LAST MEETING OF THE YEAR AND

THE FIRST OF THE THREE YEARS I WAS ASKED TO TELL YOU WHAT WE'VE ACCOMPLISHED. IT WAS CREATED IN 2005, SHE CHOSE ME TO BE THE FIRST INTEGRITY OFFICER BECAUSE OF THE BACKGROUND I HAVE. I HAVE BEEN FOR 10 YEAR AS DIVISION CHIEF IN THE LAW DEPARTMENT, DEALING WITH MOSTLY COUNCIL, DEALING WITH ISSUES WITH GENERAL GOVERNMENTS, CITY COUNCIL ISSUES, OPEN MEETINGS AFTERNOON RECORDS AND ETHICS AND THE CONDUCT OF THE CITY'S ELECTIONS. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS] INQUIRE ABOUT ETHICS ISSUES AND TO HAVE A RESOURCE TO GO TO AND TO REPORT PROBLEMS IN THE ORGANIZATION AS SOON AS THEY BECOME AWARE OF THOSE PROBLEMS SO THAT THOSE PROBLEMS DON'T GET OUT OF HAND BEFORE THE CITY HAS A CHANCE TO FIX THEM. THE IDEA IS TO REMOTE AN ORGANIZATIONAL CULTURE THAT ENCOURAGES AND PROTECTS ETHICAL CONDUCT. NEXT SLIDE, PLEASE. THE INTEGRITY OFFICE IS ONLY ONE PART OF A COMPREHENSIVE ETHICS STRUCTURE THAT COMPRISES REALLY THE WHOLE CITY ORGANIZATION. AT THE TOP OF THAT STRUCTURE IS THE CITY COUNCIL ITSELF WHICH SETS THE TONE FOR THE CITY AND CREATES CITY POLICY. THE COUNCIL ALSO APPOINTS THE CITY'S ETHICS REVIEW COMMISSION, WHICH IS A BODY THAT HAS THE ABILITY TO HEAR COMPLAINTS ABOUT ETHICS PROBLEMS AND TO SUGGEST TO THE COUNCIL PROCESS IMPROVEMENTS. BELOW THAT, WE HAVE THE CITY MANAGER WHO IS RESPONSIBLE FOR THE CONDUCT OF THE ENTIRE WORKFORCE AND WHO DELEGATES THAT AUTHORITY THROUGH HER MANAGEMENT STRUCTURE DOWN TO THE INDIVIDUAL EMPLOYEE. WE NOW HAVE A NEW FRAUD, WASTE AND ABUSE POLICY THAT HAS COME INTO EFFECT THIS SUMMER WHICH CLEARLY PLACES THE PRIMARY RESPONSIBILITY FOR THE CONDUCT IN EACH DEPARTMENT ON THE DEPARTMENT HEAD. WHO IS A HIGH-RANKING CITY OFFICIAL AND HAS CLOSE CONTACT WITH THE DEPARTMENT AND SHOULD BE AWARE OF EVERYTHING GOING ON IN THE DEPARTMENT. THE CITY ATTORNEY IS IMPORTANT IN THE STRUCTURE BECAUSE OBVIOUSLY THERE'S A GREAT DEAL OF OVERLAP BETWEEN ETHICAL AND I'VE HAD GREAT COMPLUENKS. MY BACKGROUND LEADS ME TO TALK ABOUT ETHICS IN TERMS OF ANTICORRUPTION TO THE INDIVIDUAL CITY EMPLOYEE, ETHICS HAS A GREAT DEAL MORE TO DO

WITH WORKPLACE ISSUES. THE CITY AUDITOR SERVES AS AN INDEPENDENT ARM INDEPENDENT OF THE CITY MANAGER'S CHAIN OF COMMAND AND ANSWERS DIRECTLY TO THE COUNCIL. THE CITY CLERK HAS AN IMPORTANT FUNCTION AS THE REPOSITORY OF THE VARIOUS KINDS OF FINANCIAL DISCLOSURE DOCUMENTS REQUIRED TO BE FILED. AND FINALLY, THE CITY HAS CREEMENT CREETEDCREATED A MANAGEMENT INTEGRITY COMMITTEE. THE COMMITTEE IS COMPOSED OF THE CITY AUDITOR, A DESIGNATED ASSISTANT CITY MANAGER, THE CITY ATTORNEY AND THE PARTICIPATION BY THE DIRECTOR OF HUMAN RESOURCES, THE INTEGRITY OFFICE AND THE APD INTEGRITY CRIMES DIVISION. IT SHARES INFORMATION AMONG THE VARIOUS CITY PARTS ABOUT INVESTIGATIONS THAT ARE GOING ON IN THE CITY SO THAT WE CAN OBTAIN CONSISTENCY IN THE APPLICATION OF THE CITY'S REGULATIONS AND ALSO SO THAT WE CAN SPOT TRENDS. IF WE DISCOVER SOMETHING BAD GOING ON, WE CAN IMPLEMENT PROGRAMS TO FIX IT. THE INTEGRITY OFFICE ITSELF IS DESIGNED TO SERVE AS A CENTRAL PLACE TO ANSWER QUESTIONS ON MATTERS OF GOVERNMENT ETHICS AND PUBLIC INTEGRITY, AND TO PROVIDE TRAINING TO CITY GROUPS ON REQUEST. WE WORK WITH THE VARIOUS CITY DEPARTMENTS TO IMPLEMENT PROCESS IMPROVEMENTS. WE ARE TRYING TO DEVELOP HERE A SET OF BEST PRACTICES. A FORMALIZED ETHICS STRUCTURE IN A LOCAL GOVERNMENT IS A GROWING TREND AMONG LOCAL GOVERNMENTS. STATE GOVERNMENTS WENT THROUGH THIS IN THE '80s AND '90s AND HAVE MORE DEVELOPED PROGRAMS. BUT LOCAL GOVERNMENT IS THE GOVERNMENT THAT AFFECTS PEOPLE'S LIVES MOST DIRECTLY. WE ARE FRONT LINE GOVERNMENT AND DEALING WITH MANY OF THE SAME ISSUES THAT THE STATE GOVERNMENT DEALS WITH. WE'RE ACTUALLY AUSTIN WITHIN ITS CITY LIMITS IS BIGGER THAN FIVE STATES, SO IT'S NOT SURPRISING THAT WE SHOULD BE DEALING WITH THESE ISSUES. THE CITY HAS JOINED THE COUNCIL ON GOVERNMENTAL ETHICS LAWS WHICH IS THE PREMIER INTERNATIONAL ORGANIZATION OF CITY ETHICS ORGANIZATIONS AND GOVERNMENT ETHICS ORGANIZATIONS AND THEIR GROWTH IS IN LOCAL GOVERNMENT. I HAVE OBTAINED MEMBERSHIP ON THE STEERING COMMITTEE AND HA HAS HELPED US NETWORK

TO DISCOVER AND IMPLEMENT BEST PRACTICES. AND SO AUSTIN HAS BECOME A LEADER IN THE AREA OF LOCAL GOVERNMENT INTEGRITY. WE HAVE TRAINED QUITE A FEW EMPLOYEES IN THE PAST THREE YEARS. WE BEGAN IN OUR FIRST YEAR GIVING FACE-TO-FACE ETHICS TRAINING TO 1,291 CITY EMPLOYEES AND WE'RE UP IN THIS LAST YEAR TO FACEFACE-TO-FACE TRAINING 2,836 INDIVIDUAL CITY EMPLOYEES. ALSO THIS YEAR I'M VERY PROUD OF A PROGRAM I'VE IMPLEMENTED IN CLOSE COOPERATION WITH THE PUBLIC WORKS DEPARTMENT, WHICH IS A GREAT PARTNER IN TRAINING 200 CITY PROFESSIONALS ON INTEGRITY IN THE CONSULTANT SELECTION PROCESS AND IT IS A PREREQUISITE BEFORE ANY EMPLOYEE WITH SERVE ON THE COMMITTEE TO HAVE TAKEN THIS COURSE. HUNDREDS OF MILLIONS OF DOLLARS IN CITY MONEY GOES OUT THROUGH THESE CONSULTANT CONTRACTS EVERY YEAR SO THIS IS AN IMPORTANT TRAINING PROGRAM THAT FOCUSES ON CONFLICTS OF INTEREST. EMPLOYEES HAVE BEEN PROVIDED WITH WEB-BASED ETHICS RESOURCES, THE INTEGRITY OFFICE HAS A WEB PAGE WHERE EMPLOYEES CAN GET THEIR FREQUENTLY ASKED QUESTIONS ANSWERED. WE'VE SEEN RESULTS FROM THE TRAINING. EMPLOYEE AWARENESS OF THE CITY'S POLICY IS UP 7% IN THE LAST YEAR, FAMILIARITY WITH THE FRAUD IS UP 8%, PARTICIPATION IN THE ETHICS AWARENESS TRAINING IS UP 12%. AND WE HAVE THE MAJORITY OF EMPLOYEES WHO FEEL THEY CAN REPORT UNETHICAL BEHAVIOR WITHOUT RETALIATION. WE HAVE ALMOST FULL COMPLIANCE ON FINANCIAL DISCLOSURE AMONG CITY EXECUTIVES. THE ONLY PEOPLE WHO HAVE NOT FILED A DISCLOSURE STATEMENTS WOULD BE PEOPLE WHO HAVE JUST COME ON BOARD THE CITY AND HAVEN'T HAD A CHANCE TO FILL OUT THE PAPERWORK YET. WITH RESPECT TO PROCESS IMPROVEMENTS OVER THE PAST THREE YEARS, WE'VE ENACTED NEW FRAUD, WASTE AND ABUSE REPORTING, INVESTIGATION PREVENTION MEASURES, POLICIES FOR NON-CITY USE OF CITY HALL, COMPLEMENTARY TICKETS POLICIES, NEW CONFLICTS OF INTEREST POLICIES FOR R.F.Q.'S, GUIDELINES FOR COUNCIL OFFICE EXPENDITURES, COUNCIL COMPLIANCE WITH HOUSE BILL 914 WHICH IS THE STATE CONFLICT OF INTEREST DISCLOSURE REQUIREMENT, INTERNET LINKING AND GUIDELINES FOR CODE

ENFORCEMENT INSPECTORS, NEW RECUSAL AND DISCLOSURE REQUIREMENTS FOR CITY, BOARD AND COMMISSION MEMBERS. JUST LAST WEEK YOU PASSED A NEW ANTILOBBYING MEASURABLE FOR CITY PROCUREMENTS. GUIDELINES FOR EMPLOYEES SERVING ON CITY BOARDS. GUIDELINES FOR EMPLOYEE RECOGNITION EVENTS. NEW GUIDELINES FOR THE COMBINED CHARITIES CAMPAIGN. GUIDELINES FOR SOLICITING DONATIONS. GUIDELINES FOR COSPONSORSHIP AGREEMENTS. AND YOU'LL RECALL ALSO THE INTEGRITY OFFICE WORKED ON THE REFORM TO THE CHARTER WITH RESPECT TO COUNCIL TERM LIMITS AND CAMPAIGN FINANCE LIMITS AND THE INTEGRITY OFFICE IS CURRENTLY WORKING WITH THE CHARTER REVISION COMMITTEE ON THE SINGLE MEMBER DISTRICT PROPOSAL. OUR GOALS FOR 2008 ARE TO LEVERAGE OUR RESOURCES TO REACH MORE EMPLOYEES THROUGH THE USE OF MORE PUBLICATIONS, THROUGH THE USE OF THE WEB, THROUGH VIDEO AND D.V.D. PRODUCTION. WE HAVE IN FACT WITH COOPERATION WITH THE PUBLIC INFORMATION OFFICE, THE LAW DEPARTMENT AND HUMAN RESOURCES PRODUCED A D.V.D. ETHICS TRAINING FOR CITY BOARD MEMBERS AND IN POST PRODUCTION AND ALMOST READY. WE AT THE REQUEST OF COUNCIL ARE LOOKING AT THE LOBBY STRUCTURE TO MAKE IT CLEAR WHO NEEDS TO REGISTER AND WHAT THEY NEED TO DISCLOSE. WE WILL BE WORKING TO CONTINUE TO IMPLEMENT THE MANY PROCESS IMPROVEMENTS OF 2007, PARTICULARLY WITH RESPECT TO CONFLICT OF INTEREST AND PROCUREMENT ISSUES AND ALSO WITH CONFLICT OF INTEREST ISSUES REGARDING THE CITY'S BOARDS AND COMMISSIONS. I HAVE SEEN OVER THE LAST THREE YEARS, A GREAT DEAL OF CHANGE IN THE ATTITUDE OF CITY EMPLOYEES TOWARD THE PROGRAM FROM ONE OF INITIAL SORT OF RELUCTANCE TO ONE NOW TAKING PERSONAL RESPONSIBILITY. AND I THINK MORE PEOPLE ARE TAKING PRIDE IN WORKING FOR AN ORGANIZATION THAT DOES PROMOTE A CULTURE OF ETHICS, NOT JUST AN IDEA THAT WE HAVE TO FOLLOW RULES, WITH THE IDEA OF EMPTY PROCEDURES THAT NEED TO BE FOLLOWED. SO THAT'S ALL I HAVE, UNLESS YOU HAVE QUESTIONS FOR ME. THIS IS MY CONTACT INFORMATION. AND I'LL BE GLAD TO ANSWER ANY QUESTIONS IF YOU

HAVE THAT.

THANK YOU, MR. STEINER. QUESTIONS FOR JOHN?
COUNCIL? COMMENTS? THAT WAS VERY APPROPRIATE.
THREE YEARS AGO I GUESS WHEN THE CITY MANAGER SET
UP THE OFFICE AND, OF COURSE, REMARKABLE HAVING
JOHN'S EXPERIENCE AND EXPERTISE ON STAFF WHEN THAT
OFFICE WAS FORMED. AND GLAD TO HAVE IT AND GLAD TO
MAKE MORE CITIZENS AWARE THAT WE HAVE THE OFFICE
AND THE OFFICER.

THANK YOU, SIR.

MAYOR WYNN: THANK YOU, JOHN. COUNCIL MEMBER
LEFFINGWELL.

LEFFINGWELL: JOHN, I WANT TO THANK YOU FOR THE WORK
YOU'VE DONE ON THE REFORM EFFORT. AS COUNCIL
KNOWS, WE PASSED AN ORDINANCE LAST WEEK THAT
STRENGTHENS OUR LOBBYING RULES AND THERE'S MORE
TO COME. IT TAKES A WHILE BECAUSE THE PROCESS HAS
TO GO THROUGH THE ETHICS REVIEW COMMISSION AND I
THINK THEY MEET QUARTERLY AND THAT TAKES A LITTLE
WHILE. WE ARE WORKING ON THAT. I ALSO APPRECIATE THE
WORK YOU'VE DONE IN DEVELOPING NEW CRITERIA FOR
OUR BOARDS AND PEOPLE WHO SERVE ON OUR BOARDS
AND COMMISSIONS TO MAKE SURE THAT PROCESS IS
CARRIED OUT WITHOUT CONFLICTS OF INTEREST AND
STRENGTHENING THE REPORTING, FINANCIAL REPORTING
REQUIREMENTS FOR THEM. SO THANKS FOR YOUR WORK.

THANK YOU, SIR.

THANK YOU, COUNCIL.

MAYOR WYNN: THIS TAKES US PAST OUR 5:30 BREAK FOR
LIVE MUSIC AND PROCLAMATIONS. JUST IN CASE, WHILE I'M
NOT HERE DOING PROCLAMATIONS, COUNCIL MAY WANT TO
TAKE UP IN CLOSED SESSION PURSUANT TO SECTION
551.072 ITEM NUMBER 75, REAL ESTATE MATTERS RELATED
TO AN OPEN SPACE PROJECT. BUT OTHERBUT, OTHERWISE,
COUNCIL WILL BE IN CLOSED SESSION BUT WE'LL STAY OUT
HERE FOR LIVE MUSIC AND PROCLAMATIONS. STAY TUNED

FOR NO SHOW PONIES IN JUST A FEW MINUTES.

MAYOR WYNN: OK. FOLKS WELCOME TO OUR LIVE MUSIC GIG. JOINING US TODAY IS NO SHOW PONIES FEATURING BROTHERS JEFF AND BEN BROWN. THEIR SONG-WRITING STYLE INCLUDES FOLK AND ROCK 'N' ROLL AND THE ORIGINAL SONG "ALL I WANT FOR CHRISTMAS IS TO SEE ANOTHER YEAR" IS ON OUR HAPPY HOLIDAYS FROM AUSTIN, TEXAS. RECENTLY RELEASED BY OUR ACBB. NO SHOW PONIES IS CURRENTLY PUTTING THE NEW TOUCHES ON A FULL-LENGTH ALBUM ENTITLED "THE END OF FEEL-GOOD MUSIC" WHICH FEATURES THAT GREAT AUSTIN BAND, THE GOURDS. PLEASE JOIN ME IN WELCOMING NO SHOW PONIES.

IT'S BEEN A LONG WAY DOWN THE YELLOW BRICK ROAD TO AUSTIN, TEXAS TODAY. THANK YOU, MR. MAYOR. THIS IS "EVEN I COULD NEVER HIDE FROM YOUR LOVE." [MUSIC PLAYING] [MUSIC PLAYING] [MUSIC PLAYING] [MUSIC PLAYING] [APPLAUSE]

THANK YOU.

THANKS.

ALL RIGHT. SO IN ADDITION, WE'RE GOING TO HEAR HERE IN A SECOND WHAT JEFF AND BEN'S NEW RECORD COMES OUT, ACBB HAS BEEN PROMOTING "HAPPY HOLIDAYS FROM AUSTIN, TEXAS." GREAT COMPILATION OF MUSICIANS YOU HEAR IN TOWN AND OPENS WITH THE FIRST CUT "ALL I WANT FOR CHRISTMAS IS TO SEE ANOTHER YEAR," THE NO SHOW PONIES. WHERE ARE YOU GUYS GIGGING NEXT? HOW ABOUT A WEBSITE?

WELL, OUR NAME IS NO SHOW PONIES AND YOU FIND US AT NOSHOWPONIES.COM. WE'LL BE AT EGOS ON CONGRESS. IT'S A SCHOOL NIGHT, BUT IT'S DO-ABLE. IT'S GOING TO BE A ROCK 'N' ROLL SHOW. DANCING AND SINGING.

WHAT TIME?

8:30 TO 10:00 THIS EVENING.

OK. GOOD. AND WEBSITE? DID YOU SAY THAT?

NOSHOWPONYS.COM.

10 STARS WE'RE EXPECTING HERE ON THIS RECORD. 10 STARS. WE'RE THINKING JUST ABOUT AFTER CHRISTMAS, TO KEEP YOUR EYES PEALED.

I HAVE THE OFFICIAL PROCLAMATION THAT READS THE CITY OF AUSTIN, TEXAS HAS MANY TALENTED MUSICIANS AND OUR MUSIC SCENE THRIVES BECAUSE AUSTIN ADDS SUPPORTS GOOD MUSIC, AND WHEREAS WE ARE PLEASED TO SHOWCASE AND SUPPORT OUR LOCAL ARTISTS, SO NOW, THEREFORE, I, WILL WYNN, MAYOR OF THE LIVE MUSIC CAPITAL OF THE WORLD DO HEREBY PROCLAIM DECEMBER 13th, 2007 AS NO SHOW PONIES DAY HERE IN AUSTIN AND CALLING ALL CITIZENS TO JOIN ME IN CONGRATULATING THIS GREAT YOUNG TALENT. [CHEERS AND APPLAUSE]

MAYOR WYNN: AND SO WHILE BEN AND JEFF BREAK DOWN ON THAT SIDE OF THE ROOM, WE'RE GOING TO USE THIS PODIUM TO DO OUR WEEKLY PROCLAMATIONS. WE TAKE THIS OPPORTUNITY EACH WEEK TO ISSUE THREE OR FOUR PROCLAMATIONS USUALLY SAYING THANK YOU OR GOOD-BYE OR CONGRATULATIONS AND GOOD LUCK OR TRYING TO RAISE AWARENESS OF A BIG CAUSE AROUND TOWN OR A BIG SPECIAL EVENT. AND SO MY FIRST PROCLAMATION TECHNICALLY IS A DISTINGUISHED SERVICE AWARD. GENTLEMEN, WILL YOU COME JOIN ME? I'M JOINED BY LARRY EBLIN AND A NUMBER OF FINE CITY OF AUSTIN EMPLOYEES. TECHNICALLY, WE ARE PRESENTING THIS DISTINGUISHED SERVICE AWARD TO LARRY FOR ALL OF HIS GREAT WORK WHEN IT COMES TO THE NATIONAL WEATHER SERVICE AND, FRANKLY, KEEPING AS MANY OF US SAFE AS POSSIBLE. SO I'LL READ THE DISTINGUISHED SERVICE AWARD. YOU'LL HEAR FROM LARRY OR SOME COLLEAGUES AND YOU CAN JOIN ME IN CONGRATULATING HIM FOR ALL OF HIS WORK. OFFICIAL CITY OF AUSTIN DISTINGUISHED SERVICE AWARD READS, FOR HIS CAREER AS A METEOROLOGIST EXTRAORDINAIRE WITH THE AUSTIN-SAN ANTONIO NATIONAL WEATHER SERVICE, HE HAD EXCELLENCE IN SERVICE TO OUR COMMUNITY, LARRY EBLIN IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION. HIS CAREER SPANS 38 YEARS,

THE LAST 25 WITH THE NATIONAL WEATHER SERVICE'S SAN ANTONIO AND AUSTIN OFFICE WHERE HE PLAYED A ROLE IN MODERNIZING THE FACILITIES. LARRY WHO IS ALSO KNOWN AS MR. SEVERE WEATHER HAS AUTHORIZED NUMEROUS FORECASTING AND WEATHER SAFETY ARTICLES, SLIDE PRESENTATIONS AND VIDEOS AND HAS TRAINED THOUSANDS OF STORM SPOTTERS IN CENTRAL TEXAS. WE THANK HIM FOR HIS CONTRIBUTIONS TO THE CITIZENS OF AUSTIN AND TO HIS DEDICATION TO SAFEGUARDING THE PUBLIC. HE WILL TRULY BE MISSED. THIS CERTIFICATE IS PRESENTED IN ACKNOWLEDGEMENT AND SHOWING OUR GRATITUDE FOR HIS SERVICE, THIS 13th DAY OF DECEMBER OF THE YEAR 2007 AS SIGNED BY ME MAYOR WYNN AND ACKNOWLEDGED BY THE ENTIRE AUSTIN CITY COUNCIL, THE DISTINGUISHED SERVICE AWARD TO MR. LARRY EBLIN.
[APPLAUSE]

JUST VERY BRIEFLY, THANK YOU SO MUCH. I AM EXTREMELY HONORED. I CONSIDER AUSTIN TO BE ONE OF THE MOST FAR-SIGHTED IN PUBLIC SERVICE ORIENTED CITIES IN THE NATION. TO GET AN HONOR AND AWARD FROM AUSTIN IS ALL THE MORE IMPORTANT AND MEANINGFUL TO ME. THANK YOU VERY MUCH. [APPLAUSE]

LARRY, I'D LIKE TO OFFER YOU A SPECIAL THANKS FOR ALL OF YOUR PARTNERSHIP AND OUR FLOOD SAFETY AWARENESS WEEK ACTIVITIES. LARRY IS AN EXCELLENT JUDGE OF CHILD ART. WE HAD A COMPETITION FOR POSTERS ON THE TURNAROUND DON'T DROWN CAMPAIGN. MOST IMPORTANTLY, WHEN SEVERE WEATHER WAS DEVELOPING, LARRY SENDS OUT THESE VERY CONCISE, BUT ATTENTION-GETTING EMAILS. AND THEN IT GAVE US THE HEAD'S UP WE NEEDED TO GET PREPARED FOR UPCOMING WEATHER. WE'LL MISS THAT, LARRY. YOU NEED TO HAND THAT OFF TO SOMEONE ELSE.

I WILL, I PROMISE. [APPLAUSE]

THANK YOU.

OK. SO AS MENTIONED EARLIER, OFTENTIMES WE DO TAKE THIS OPPORTUNITY TO SAY GOOD-BYE AND GOOD LUCK, BUT ALSO THANK YOU, OF COURSE, TO FOLKS WHO ARE

LEAVING US AFTER A DISTINGUISHED CAREER. AND SO WE'RE HERE TO SAY THANK YOU AND GIVE THE DISTINGUISHED SERVICE AWARD TO MIKE. IF YOU GOT HERE EARLIER, MIKE CAME TO THE PODIUM TO GIVE A QUICK PRESENTATION BEFORE COUNCIL ON SOME OF THE GREAT, GREAT WORK THAT HE AND HIS STAFF BOTH UPSTREAM AND DOWNSTREAM, NO PUN INTENDED, HAVE BEEN DOING HERE IN AUSTIN. I'M GOING TO READ THE DISTINGUISHED SERVICE AWARD. I'LL ASK MY BEAUFORT COLLEAGUE TO COME AND SAY A FEW WORDS BEFORE WE HEAR FROM MIKE. OK. SO DISTINGUISHED SERVICE AWARD READS, FOR 21 YEARS OF EXTRAORDINARY SERVICE TO THE PEOPLE OF AUSTIN AS A DEDICATED CITY EMPLOYEE IN THE WATERSHED PROTECTION AND VENT REVIEW DEPARTMENT, GEORGE MICHAEL LIGHTADE IS DESERVING OF PUBLIC ACCLAIM AND REC KNICKS AS AN ENVIRONMENTAL SCIENTISTOR THE CITY, MIKE HAS PROVIDED GUIDANCE ON A NUMBER OF PROJECTS INCLUDING MAJOR PORTIONS OF THE 1997 MARTIN CREEK REPORT WHICH OUTLINED WATER MONITORING FOR THE WATERSHED AND RECOMMENDATIONS FOR ITS PROTECTION. MAKE ALSO PROVIDED IDENTIFICATION, DELINEATION AND SETBACK BUFFERRER RECOMMENDATIONS FOR STREAM WETLANDS TO DEVELOPMENT REVIEWERS AT THE CITY AND CONSISTENTLY BROUGHT THE VALUE OF THESE HABITATS RECOGNITION FROM THE DEVELOPMENT COMMUNITY. I DIDN'T SAY THAT VERY WELL. MORE RECENTLY, MIKE HAS INITIATED EFFORTS TO IMPROVE CITY REGULATORY PROTECTION OF STREAM HEAD WATERS. THIS CERTIFICATE IS PRESENTED IN RECOGNITION AND APPRECIATION OF MIKE'S PASSION AND EXCELLENCE DURING A CAREER WITH THE CITY, THIS 14th DAY OF DECEMBER, AS IN TOMORROW, OF THE YEAR 2007. AGAIN SIGNED BY ME MAYOR WYNN, ACKNOWLEDGED BY THE ENTIRE AUSTIN CITY COUNCIL. THE DISTINGUISHED SERVICE AWARD. [APPLAUSE]

THIS IS SUCH A HISTORIC DAY AND I THINK THIS IS GOING TO BE HARD FOR ME. MIKE'S COURAGE AND PERSISTENCE IN PROTECTING WETLANDS AND HEADWATERS IN AUSTIN'S CREEKS IS LEGENDARY AND HE HAS TRULY BEEN A GUIDEPOST IN AUSTIN'S ENVIRONMENTAL PROTECTION MOVEMENT. SO WE WILL MISS HIM SO MUCH. AND THERE

ARE SO MANY GOOD STORIES TO BE TOLD ABOUT OUR DECADES OF HARD WORK AND HARD PLAY. AND WE REALLY CAN'T TALK ABOUT THEM PUBLICLY UNTIL AFTER I RETIRE. WE WILL MISS HIM VERY MUCH.

THANK YOU. [APPLAUSE]

WELL, ALL YOU HAVE TO DO IS TAKE A LOOK AT MIKE AND YOU CAN SEE THAT HE EMBODIES THE VALUES OF OLD RADICAL 1960s HIPPIE AUSTIN. HE BUILT HIS OWN HOUSE. HE LIVES AS CLOSE TO THE LAND AS POSSIBLE. IN THIS DAY AND AGE, HE SPENT THOUSANDS OF HOURS IN THE CREEKS, THE SPRINGHEADS, THE NATURAL POOLS ALL AROUND AUSTIN. AND ANYONE THAT SPEAKS TO MIKE GETS AN EARFUL OF THE MESSAGE OF HOPEFUL CONSERVATION OF THE RICH, NATURAL RESOURCES WE'RE SO LUCKY TO ENJOY HERE IN AUSTIN. NOW, MIKE STARTED WITH THE CITY IN 1989. THEY TELL ME THE YEAR THE ALBUM "DON'T WORRY, BE HAPPY" CAME OUT AND GOT THE GRAMMY. AND THROUGH ALL THE UPS AND DOWNS OF MIKE'S WORK IN ENVIRONMENTAL PROTECTION, HE'S BEEN HAPPY. HAPPY TO SERVE THE CITIZENS OF AUSTIN AND HUMBLY APPRECIATIVE OF THE MANDATE TO KEEP AUSTIN WHAT THE REST OF THE COUNTRY HAS IN MIND. HE WAS A FULL-TIME CARPENTER FOR MORE THAN 10 YEARS. YOU NEED TO KNOW HOW TO SWING A HAMMER IN THIS JOB, BEFORE HE CAME WITH THE CITY. BUT IN HIS ROLE IN ENVIRONMENTAL PROTECTION WITH THE CITY, HE'S WORKED IN MANY DIFFERENT AREAS THAT ARE LEGACY BUILDING FOR THIS COMMUNITY, FROM THE WATER WATCH DOGS TO RIDINGWRITING THE STANDARDS FOR NATURAL GRASSES AND RESTORATION PROJECTS. THROUGH IT, HE BUILT UP RAPPORT WITH CITIZENS, THE DEVELOPED COMMUNITY AND CITY STAFF. NOW, IN LATER YEARS, HE HAD THE FORESIGHT TO LEAVE AS A LEGACY FOR THE CITY THE TRAINING OF OTHER BIOLOGISTS AND GEOLOGISTS IN WET LAND PROTECTION, FLESHING OUT CRITERIA IN THE CITY'S TECHNICAL MANUALS WHICH CAN STACK THIS TALL, TO GIVE DEVELOPERS CONSISTENT GUIDANCE FOR PROJECTS AND PROMOTING MORE SETBACKS FROM HEAD WATER OF TREMENDOUS IN RECOGNITION OF THE WATER QUALITY FUNCTION. HE HAS BEEN AN ARCHITECT OF REGULATORY CHANGE AND HE IS GOING TO BE MISSED. HE IS ONE OF MANY BRIGHT, LIFE-

CHANGING CITY EMPLOYEES WHO WORKED FOR THE CITIZENS OF AUSTIN. A RARE BREED, DEEPLY MISSED, MIKE. SAY A FEW WORDS TO US.

OK. THANK YOU. [APPLAUSE]

MY GOODNESS. I'M COMPLETELY OVERWHELMED. I MOVED TO AUSTIN IN 1970. AND I THOUGHT I HAD DIED AND GONE TO HEAVEN. CAME FROM ABILENE, TEXAS. SO THAT EXPLAINS EVERYTHING. [LAUGHTER] AND ALL ALONG, IT'S LIKE AUSTIN IS PRACTICALLY A RELIGION TO ME. AND THIS CITY IS LIKE A CHURCH. AND ALL THE PEOPLE I'VE WORKED WITH ARE LIKE THE CONGREGATION. AND TO BE ABLE TO FEEL THAT WAY AND TO -- THEY HAVE MADE ME FEEL SO APPRECIATED. I AM JUST FLABBERGASTED BY ALL THIS RECOGNITION. BUT EVEN WITHOUT IT, IT'S BEEN JUST A DREAM JOB. HOW COULD I HAVE EVER DONE ANYTHING THAT WOULD HAVE BEEN MORE MEANINGFUL TO ME THAN TROMP AROUND IN THE WOODS ALL AROUND AUSTIN, JUST LIKE I WOULD DO THAT IF I WERE ON VACATION. I MEAN. AND JENNY, MY WIFE, HAS BEEN MY TOTAL SUPPORT ALL THE WAY. JUST I COME HOME ALL FRUSTRATED AND, YOU KNOW, SHE PICKS ME UP AND SENDS ME BACK. OH, MY GOODNESS.

WE THANK HER FOR THAT.

YES. BUT THE LEADERSHIP I'VE HAD WITH NANCY, JOE AND ED PEACOCK AND NOW TOM EANES. HE COULDN'T ASK FOR PEOPLE THAT JUST LET YOU GO LIKE THEY HAVE ME. AND DO THE THINGS THAT I REALLY WANTED TO DO. AND YES, IT'S HARD TO MAKE ALL THESE THINGS HAPPEN IN A BIG ORGANIZATION LIKE THIS. BUT THEY HAVE. AND SO I GUESS I'M A TESTAMENT THAT YEAH, AN OLD AUSTIN HIPPIE-TYPE CAN REALLY HAVE A REAL JOB, YOU KNOW, AND MAKE A DIFFERENCE. [LAUGHTER] THANK YOU. [APPLAUSE]

MAYOR WYNN: CONTINUING OUR THEME OF DISTINGUISHED SERVICE AWARDS, SAYING GOOD-BYE, THANK YOU, CONGRATULATIONS, GOOD LUCK, BEST WISHES, WE LOVE YOU, NEXTNO CARRIERRINGCONNECT 57600 FOR 29 YEARS OF PUBLIC SERVICE FOR THE CITY OF AUSTIN AND SERVING AS ACTING CHIEF OF POLICE FOR THE AUSTIN POLICE DEPARTMENT, CATHY ELLISON IS DESERVING OF PUBLIC

ACCLAIM AND RECOGNITION. DURING HIS TENURE WITH THE AUSTIN POLICE DEPARTMENT, CATHY ELLISON PROVIDED LEADERSHIP IN SEVERAL ROLES INCLUDING ASSISTANT CHIEF WHERE SHE MANAGED THE OPERATION OF ALL NINE PATROL AREA COMMANDS. SHE ALSO SERVED AS A.P.D. CHIEF OF STAFF OVERSEEING INTEGRITY CRIMES, INTERNAL AFFAIRS, ADMINISTRATION SERVICES AND THE PUBLIC INFORMATION OFFICE AND THE ACCREDITATION AND INSPECTIONS UNIT. HER DEDICATION TO PUBLIC SAFETY, THE LOYALTY AND TRUST SHE ENDEARED WITH THE AUSTIN COMMUNITY AND HER LEADERSHIP HAVE BEEN ADMIRER BY ALL. THROUGHOUT HER CAREER, SHE HAS BEEN ASSIGNED TO AND/OR HAS PLAYED A SUPERVISORY ROLE WITHIN ALMOST EVERY DIVISION OF THE DEPARTMENT. THE EPITOME OF A CIVIL SERVANT AND FRIEND, CATHY HAS HELPED TO MAKE AUSTIN ONE OF THE SAFEST CITIES IN THE NATIONAL. THIS CERTIFICATE IS PRESENTED WITH OUR DEEPEST ADMIRATION AND APPRECIATION FOR HER FINE CAREER WITH THE CITY OF AUSTIN, SPECIFICALLY THE AUSTIN POLICE DEPARTMENT, THIS 13th DAY IN THE YEAR 2007 AGAIN SIGNED BY ME MAYOR WYNN AND ACKNOWLEDGED BY THE ENTIRE AUSTIN CITY COUNCIL. THE DISTINGUISHED SERVICE AWARD TO CHIEF CATHY ELLISON. [APPLAUSE]

YOU KNOW, YOU'VE SEEN A LOT OF FAREWELLS TO FOLKS OVER THE LAST YEAR, SADLY. BUT YOU'VE ALSO SEEN SOME EXTRAORDINARY WOMEN THAT HAVE ATSTEPPED UP TO THIS PODIUM AND CATHY IS ONE OF THOSE EXTRAORDINARY WOMEN. IN MAY OF 2006 AFTER SERVING THIS COMMUNITY AND THE AUSTIN POLICE DEPARTMENT FOR OVER 28 YEARS, CATHY ELLISON WAS APPOINTED ACTING POLICE CHIEF IN THE CITY MAKING HER THE FIRST FEMALE AFRICAN-AMERICAN TO ATTAIN THE HIGHEST RANK IN THE AUSTIN POLICE DEPARTMENT. AND I COULDN'T THINK OF A MORE PERFECT WOMAN TO HAVE STEPPED INTO THAT ROLE. NOW, SHE GREW UP IN DALE, TEXAS. SHE HAS A WICKED SENSE MUCH HUMOR. YOU MAY NOT KNOW THAT ABOUT CATHY. SHE EARNED A BACHELOR'S DEGREE IN CRIMINAL JUSTICE FROM MY BACHELOR ALMA MATER, SWF TEXAS UNIVERSITY. I USED OLD NAME. SHE WAS COMMISSIONED AS A POLICE OFFICER IN 1979. AND SHE HAS

SERVED IN LITERALLY EVERY ROLE STARTING IN PATROL, TRAFFIC ENFORCEMENT, RECRUITING, AS A DETECTIVE, AS A SERGEANT. SHE HAS WORKED IN CHILD ABUSE, THEFT, NORTHEAST PATROL, CENTRAL EAST RESPONSE AS A LIEUTENANT. SHE MANAGED THROUGH CENTRAL EAST PATROL EVENING SHIFT. SHE WAS DEPARTMENT LIAISON TO THE OFFICE OF THE POLICE UPON STORE. AS ASSISTANT CHIEF SHE MANAGED ALL NINE PATROL COMMANDS IN THE CITY OF AUSTIN. FOR A PERIOD OF TIME, WHEN SHE SERVED AS THE CHIEF OF STAFF, SHE OVERSAW INTEGRITY CRIMES, INTERNAL AFFAIRS, ADMINISTRATIVE SERVICES, PUBLIC INFORMATION AND ACCREDITATION AND INSPECTIONS. SHE'S DONE IT ALL FROM FRONT TO FINISH IN HER CAREER WITH US. SHE HELD FOR TWO YEARS PRESIDENT OF THE TEXAS PEACE OFFICERS ASSOCIATION. SHE WAS ABSOLUTELY CRITICAL TO US ATTAINING REACCREDITATION AND I BELIEVE ONE OF THE REASONS THAT WE WERE NAMED A FLAGSHIP AGENCY, BY THE WAY, ONE OF ONLY TWO IN THE NATION TO RECEIVE THAT ACCREDITATION, SHE NEVER HESITATED TO SERVE EITHER IN THE DEPARTMENT OR IN THE CITY WHERE SHE WAS NEEDED THE MOST. AND IT'S PARTLY THANKS TO WOMEN LIKE KATHY AND IN HER ROLE AS ACTING POLICE CHIEF THAT WE ARE ONE OF THE SAFEST MAJOR CITIES IN THIS COUNTRY. NOW, ON A PERSONAL NOTE, SHE'S A VERY ACTIVE MEMBER OF THE AUSTIN COMMUNITY. SHE ATTENDS THE 19th STREET BAPTIST CHURCH. SHE PARTICIPATES AS SUNDAY SCHOOL INSTRUCTOR IN CLASS OF ADULT WOMEN. I CAN TELL YOU AS A PERSONAL ANECDOTE BECAUSE DURING THE PARADE AS WE RODE DOWN THE STREET IN FRONT OF THE CHURCH, THE CHEERS THAT WENT UP WHEN CATHY WENT BY WERE THE LOUDEST I HEARD ANYWHERE ALONG THAT PARADE ROUTE. WE KNEW WE WERE IN HOME TERRITORY WHEN WE PASSED THE CHURCH. HER COMMITMENT IN THE COMMUNITY GOES MANY WAYS. AT THE SCHOOL, SHE BECAME A TRAINED SURROGATE PARENT. SHE ASSISTED SPECIAL NEEDS CHILDREN. I COULD GO ON AND ON. SO IT'S WITH MUCH APPRECIATION THAT WE OFFER OUR DEEPEST THANKS TO SOMEONE WHO HAS SERVED THIS CITY SO WELL AND SO LONG. CATHY ELLISON. [APPLAUSE]

NO WONDER I WAS SO TIRED WHEN I LEFT A.P.D. [LAUGHTER]

I JUST WANT TO SAY A THANKS TO THE MAYOR AND CITY COUNCIL WHO ARE HERE FOR THIS AWARD. IT IS TRULY AN HONOR AND A PLEASURE. I HAVE LEARNED SERVING THE RESIDENTS OF AUSTIN. TOBY IS RIGHT. I'M FROM A SMALL COMMUNITY IN DALE. IT HAD ABOUT AS MANY PEOPLE AS IN THIS ROOM. WENT TO SOUTHWEST TEXAS AND NEVER WANTED TO BE A POLICE OFFICER. BUT GOT INVOLVED IN CRIMINAL JUSTICE AND FELL IN LOVE WITH IT AND I AM HERE TODAY BECAUSE I KNOW IN MY HEART OF HEARTS I WAS CALLED TO BE IN THIS ROLE. I, FIRST OF ALL, WANT TO THANK CHIEF NEE. HE GAVE ME AN OPPORTUNITY AND AS A LIEUTENANT PROMOTED ME TO ASSISTANT CHIEF. THAT TOOK A LOT OF COURAGE. MOST PEOPLE KNOW THE CHIEF HAS A LOT OF COURAGE AND A LOT OF OTHER STUFF. BUT HE ACTUALLY PROMOTED ME FROM THAT RANK AND WE FILTERED THROUGH IT AND I THINK I MADE A GREAT DECISION. I DO. OTHER THINGS I ALSO WANT TO THANK MY FAMILY AND MY CHURCH AND THIS IS MY PASTOR FROM 19th STREET BAPTIST CHURCH. THEIR PRAYERS AND THEIR SUPPORT. I'LL TELL YOU, YOU LEARN EARLY ON AS A POLICE OFFICER YOU NEED LOTS OF PRAYER. AND THE HIGHER YOU GO IN THE RANK, THE MORE PRAYER YOU NEED. AND SO, THEREFORE, THERE ARE PROBABLY SORE KNEES HERE FOR PEOPLE PRAYING FOR ME DURING THIS TRIAL AND TRIBULATION. ONE OF THE THINGS I FOUND OUT AS I PROMOTED THROUGH THE RANKS AND THE OFFICERS COULD PROBABLY SAY AMEN TO THIS, BUT WHEN YOU BECOME A POLICE OFFICER, YOU INHERIT RELATIVES. THE HIGHER YOU GO IN RANK, YOUR FAMILY GROWS AND GROWS AND GROWS AND GROWS. AND YOU HAVE RELATIVES COMING OUT THE WOODWORK. THE LAST YEAR I HAD MORE LIVES THAN I EVER KNEW. HI TO CALL HOME TO FIND OUT IF THEY WERE TRULY MY RELATIVES. I TRULY COULD NOT HAVE MADE IT WITHOUT MY PASTOR AND MY CHURCH AND THE MEMBERS OF MY CHURCH. AND SOME SPECIAL FRIENDS. DR. SPENCER WHO IS STANDING HERE GOT ME INVOLVED IN AISD MENTOR PROGRAM AND I WANT TO THANK GENE FOR THAT. I WANT TO THANK CRAIG. CRAIG TOLD ME I MIGHT BE GONE FROM THE POLICE DEPARTMENT BUT I AM FOREVER A MEMBER OF TPLA. THERE ARE SOME OTHER SPECIAL PEOPLE I WANT TO THANK. LAURA. I DON'T KNOW IF SHE STAYED IN OR NOT. WHEN I FIRST MET LAURA

HUFFMAN, SHE WAS PREGNANT WITH HER SIXTH OR SEVENTH CHILD I THINK. [LAUGHTER] HER FOURTH CHILD. ALL RIGHT. REALLY, IT WAS HER FOURTH CHILD. BUT SHE WAS VERY PREGNANT, BUT SHE WAS WALKING THROUGH THE POLICE FACILITIES. SHE HAD JUST BEEN HIRED AND SHE WAS WANTING TO GET TO KNOW THE OFFICERS. AND I WAS OFF-DUTY AND SHE WAS GRACIOUS TO ME AND I THANK HER FOR THAT. THEN I GOT TO REALLY KNOW HER DURING THE PROCESS OF MEET AND CONFER. AND LAURA WAS A TRUE MENTOR. AT MY LAST YEAR AS ACTING CHIEF, SHE WOULD CALL. I GOES SHE KNEW I WAS AT WORK AT 8:00 OR 9:00 AT NIGHT AND SAY, GIRL, KEEP YOUR HEAD UP, YOU'RE DOING A GREAT JOB, THE P.D. IS DOING A GREAT JOB. THAT WAS VERY, VERY ENCOURAGING TO ME. AND THE OTHER THING SHE WOULD DO THIS, IT'S LIKE I WOULD COME TO DIRECTOR'S MEETING OR CITY COUNCIL AND I HAD THESE WORDS ON MY HEAD TO SAY I NEEDED A HUG. SHE WOULD JUST WALK UP AND HUG ME OUT OF THE BLUE. AND I WANT TO THANK HER FOR THAT. AND THERE WERE OTHERS. WILLIE ROSE IS NOT HERE AND THEN JUDGE McKEE AND PAUL HILGERS. I REMEMBER ONCE WHEN I CAME TO CITY HALL, I ASKED THE RECEPTIONIST -- THERE WAS A YOUNG MAN BEHIND THE DESK AND I WAS AT CITY HALL A LOT, YOU ALL. I WAS HERE A LOT. AND I ASKED HIM, AM I THE DIRECTOR AT CITY HALL THE MOST? HE SAID IT'S A TIE BETWEEN YOU AND WILLIE RHOADES. AND WILLIE IS NOT HERE. BUT WILLIE AND I WERE ALWAYS AT CITY HALL. I WANTED TO LET WILLIE KNOW AND HE'S NOT HERE, THAT WE WERE IN THE SAME BAG TOGETHER. AND THEN FINALLY I WANT TO THANK MIKE. I KNOW HE'S NOT HERE, MIKE McDONALD. MIKE IS A YOUNG MAN WHO HAS OLD, OLD WISDOM. HE SEES THINGS THAT AMAZES ME HOW WISE HE IS IN HIS EARLY 40s, I THINK MIKE IS. AND STARTED OUT AS A POLICE OFFICER AND HAD MANY WORDS OF ENCOURAGEMENT. AND I WANT TO THANK HIM, TOO, FOR THE SUPPORT HE'S GIVEN ME THIS LAST YEAR. IN ADDITION TO HIS WIFE, SHARON. I WOULD CALL TO THE HOUSE LATE AT NIGHT AND FOR SOME REASON, SHARON WOULD ANSWER THE PHONE, AND NOT MIKE. AND SHE WOULD WAKE UP AND GRACIOUS TO HAND THE PHONE TO MIKE AND NEVER COMPLAINED. I WANT TO THANK HER, TOO. AND THEN FINALLY, I WANT TO THANK THE CITY OF AUSTIN, THE

RESIDENTS OF AUSTIN FOR ALLOWING ME TO SERVE THEM IN THE WAY I KNOW HOW. IT'S BEEN AN HONOR AND PLEASURE. I WANT TO THANK THESE OFFICERS AND COMAPPEDDERS AND LIEUTENANTS THAT ARE HERE. I WISH YOU GREAT LUCK AND GODSPEED. I PRAY ONE DAY YOU WILL BE WHERE I AM. I LOVE BEING RETIRED. I DIDN'T KNOW I WAS GOING TO. BUT GOD KNEW I NEEDED TO RETIRE. AND SO I AM AND I LOVE IT. SO IT WAS JUST BY HIS GRACE THAT I MADE IT THIS ENTIRE 29 YEARS SO THAT I COULD RETIRE AND NOT HAVE TO WORK. SO THANK YOU ALL FOR BEING HERE AND THANK YOU, CHIEF, FOR BEING HERE, TOO.
[APPLAUSE]

MAYOR WYNN: FOR OUR FINAL PROCLAMATION, I'LL TURN THE PODIUM OVER TO COUNCIL MEMBER KIM.

KIM: WE HAVE A PROCLAMATION HERE FOR THE VICTORY DAY OF BANGBANGLADESH AND IT READS AS, BE IT KNOWN WHEREAS IN 1971, THE LEAGUE PARTY WON AN MAJORITY IN PAKISTAN'S PARLIAMENT, THE GOVERNMENT OF PAKISTAN BLOCKED THEM FROM TAKING OFFICE AND LAUNCHED AN ASSAULT ON EAST PAKISTAN, WHEREAS THE ASSAULT RESULTED IN THE DEATH OF THREE MILLION BANG DESHIS WHILE 10 MILLION OTHERS WENT TO INDIA. THEY SET UP A GOVERNMENT IN INDIA AND ESTABLISHED A LIBERATION WAR WITH SUPPORT FROM INDIAN ARMED FORCES. A DECISIVE VICTORY WAS ACHIEVED IN PAKISTAN ON DECEMBER 16th, 1971, AND A NEW COUNTRY CALLED BANGLADESH EMERGED ON THE WORLD MAP, WHEREAS VICTORY DAY SYMBOLIZES FREEDOM, GLORY AND PRIDE FOR THE NATION OF BANGLADESH, IT HAS BEEN CELEBRATED LOCALLY BY MEMBERS OF THE AUSTIN BANGLADESH CLUB. I DO HEREBY DECLARE VICTORY DAY OF BANG BANGLADESH. AND I'D LIKE TO PRESENT THIS TO YOU. WHO IS GOING TO ACCEPT THIS? YOU WANT TO SAY A FEW WORDS? [APPLAUSE]

WHEN I HAVE JOINED THE FREEDOM PARTY, I WAS ONLY 15 YEARS OLD. AND I SAW THE GENOCIDE THAT THE PAKISTAN ARMY DID ON OUR PEOPLE. THEY RAPED OUR WOMEN AND BURNED OUR HOUSES. IT IS A LAND OF -- [INAUDIBLE] WE DON'T WANT ANY FIGHT OR ANYTHING. BUT THE TEACHERS ENCOURAGED ME AND I HAD TO FLEE FROM HOME AND INTO

INDIA AND JOIN TO THE FREEDOM FIGHTING. WE DIDN'T HAVE ANY ARMY EDUCATION. WE DIDN'T HAVE ANY WEAPONS. WE DON'T HAVE ANY FOOD. BUT WE LOVED OUR COUNTRY AND WE FOUGHT AGAINST THE INJUSTICE. AND WE WON. SO THIS IS ACTUALLY THE MESSAGE TO THE WHOLE WORLD. IF YOU FIGHT AGAINST INJUSTICE, YOU CAN WIN EASILY. BUT I WANT TO -- I DON'T WANT TO SAY A LOT BECAUSE MY FREEDOM IS HERE AND HE WILL EXPLAIN A LITTLE BIT MORE. THANK YOU VERY MUCH. [APPLAUSE]

WELL, THANK YOU, COUNCIL MEMBER KIM, JENNIFER KIM. AND THANK YOU, MAYOR, FOR DECLARING 16th OF DECEMBER AS THE BANGLADESH VICTORY DAY. LET ME EXPLAIN IN A COUPLE OF MINUTES WHAT REALLY HAND AHAPPENED A LITTLE BIT. BANGLADESH IS A REALLY YOUNG, INDEPENDENT COUNTRY. IT IS YOUNG BECAUSE IT IS ONLY 36 YEARS OLD. AND IT'S ALSO VERY YOUNG BECAUSE THE LIBERATION WARRIORS ARE STILL ALIVE. AND I'M VERY PROUD TO SAY THAT I'M ONE OF THEM. I WAS A YOUNG BOY OF 19 YEARS OLD GOING TO COLLEGE WAITING FOR MY FIRST OPPORTUNITY TO VOTE. AT THE TIME, THE COUNTRY WAS RULED BY PAKISTANI. UNDER PRESSURE, THE ARMY HAD TO BEND DOWN TO STAGE A NATIONAL ELECTION AND HOPEFULLY HAND OVER THE POWER TO THE ELECTED OFFICIALS. I PERSONALLY CAMPAIGNED AND ACTIVELY PARTICIPATED IN THE ELECTORAL PROCESS FOR THE BIGGEST DEMOCRATIC PARTY IN EAST PAKISTAN. AND NOT TO MENTION THE PARTY FROM EAST PAKISTAN WON THE ELECTION IN A LAND SLIDE, STANDING THE ARMY AND THEIR PUPPET POLITICAL PARTY OF WEST PAKISTAN. BECAUSE OF THE PEOPLE DID NOT VOTE, THE ARMY PUPPET PARTY OF WEST PAKISTAN, THE ARMY GENERAL DECIDED TO WIPE OUT THE ENTIRE POLITICAL LEADERSHIP, INTELLECTUALS AND WHO IS WHO OF EAST PAKISTAN, LIKE A TRUE DICTATOR. AND THE WORST NIGHTMARE CAME INTO REALITY IN 1971 WHEN THE PAKISTANI ARMY CAME IN FULL FORCE TO RUN OVER EAST PAKISTAN AND WIPE OUT THE POLITICAL LEADERSHIP WHO WON THE ELECTION. THAT STARTED ONE OF THE WORST GENOCIDE OF OUR TIME. 3 MILLION PEOPLE LOST THEIR LIVES IN THAT PROCESS. PEOPLE FROM ALL WALKS OF LIFE HAD NO CHOICE BUT TO JOIN THE FREEDOM STRUGGLE WHICH EVENTUALLY LASTED

ALMOST NINE MONTHS. ENDED WITH THE UNCONDITIONAL SURRENDER OF 93,000 PAKISTANI PRISONER OF WAR. THIS IS HOW A TINY COUNTRY CALLED BANGLADESH WAS BORN IN 1971 ON THIS VERY MONTH. I ON BEHALF OF THE ENTIRE AUSTIN BANGLADESH COMMUNITY THANK YOU FOR ESTABLISHING DECEMBER 16th AS BANGLADESH VICTORY DAY. LASTLY, THIS COULD BE A LESSON FOR ALL DICTATORS ALL OVER THE WORLD THAT YOU CAN HAVE ALL THE ARMY POWER TO SUPPRESS PEOPLE'S BASIC RIGHT, BUT ULTIMATELY, DEMOCRACY WILL PREVAIL. THANK YOU. [APPLAUSE] [MUSIC PLAYING]

MAYOR WYNN: WE ARE OUT OF CLOSED SESSION. IN EXECUTIVE SESSION WE TOOK UP OUR FINAL CLOSED SESSION AGENDA ITEM OF THE DAY, THAT BEING REAL ESTATE MATTERS, ITEM NUMBER 75 REGARDING OPEN SPACED PROJECT. WE HAVE A POSTED ACTION ITEM RELATED TO THAT BELIEVING THAT WE'VE JUST RECEIVED. THAT'S ACTION ITEM NUMBER 80. WITH THAT, I'D APPRECIATE A BRIEF STAFF RECOMMENDATION.

THANK YOU, MAYOR AND COUNCIL. ITEM 80 IS TO AUTHORIZES US TO NEGOTIATE AND EXECUTE A CONTRACT WITH THE TEXAS NATURE CONSERVACY ON 3,058 ACRES IN HAYS COUNTY. IT WILL DERIVE THE BENEFIT OF 1500 ACRES IN FEE OWNERSHIP AND A CONSERVATION EASEMENT FOR 1,158 ACRES. WE ARE STILL IN NEGOTIATIONS ON THIS TRACT BUT OUR AIM IS TO CLOSE THIS ON DECEMBER 28th. YOUR PURCHASE PRICE FOR THE CITY OF AUSTIN ON THIS TRANSACTION IS \$30 MILLION. AND COUNCIL MEMBER LEFFINGWELL THAT'S \$13,200 PER ACRE. ANY QUESTIONS?

MAYOR WYNN: PERHAPS JUST A BRIEF SUMMARY OF ADDITIONAL BENEFITS. AS WE WERE TOLD IN CLOSED SESSION, NOT ONLY IS THERE A FEE TITLE INTEREST BY THE CITY, THERE'S ALSO A CONSERVATION COMPONENT TO THIS. AND FUNDAMENTALLY, WHAT THIS ALSO IS DOING IS ELIMINATING THE CONSTRUCTION OF 1500, 1800 HOMES PERHAPS.

I'LL RUN THROUGH THOSE NUMBERS FOR YOU. WE ARE REMOVING 2,912 HOMES. 36 ACRES OF COMMERCIAL OFFICE SPACE. 27 GOLF HOLES. WE ARE BRINGING THE IMPERVIOUS

COVERAGE DOWN TO 23.3%. AND WE NOW WITH THIS TRANSACTION WILL HAVE 5,152 ACRES IN FEE AND 3,308 ACRES IN CONSERVATION EASEMENTS FOR A TOTAL BLOCK OF 8,460 ACRES CONTIGUOUS IN THE BARTON SPRINGS RECHARGE ZONE.

MAYOR WYNN: THANK YOU. QUESTIONS OF STAFF, COUNCIL? COUNCIL MEMBER LEFFINGWELL.

LEFFINGWELL: ANOTHER IMPORTANT BENEFIT IS IT PLUGS ONE OF THE GAPS IN THE TRAIL FOR A DAY REACHING DOWN FROM BARTON CREEK TRAIL ALL THE WAY TO HAYS COUNTY. IT'S AN ONGOING CHANGE AND ENVIRONMENTALLY, A VERY IMPORTANT PIECE OF PROPERTY.

THAT IS CORRECT, SIR.

MAYOR WYNN: FURTHER QUESTIONS OF STAFF? COMMENTS? I'LL ENTERTAIN A MOTION.

I'LL MOVE APPROVAL, MAYOR.

MAYOR WYNN: MOTION BY COUNCIL MEMBER LEFFINGWELL. SECOND BESIDE THE MAYOR PRO TEM TO APPROVE ITEM 80 AS PRESENTED BY STAFF. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR, PLEASE SAY AYE. [VOTING]

MAYOR WYNN: MOTION PASSES ON A VOTE OF 6-0 WITH COUNCIL MEMBER MARTINEZ OFF THE DAIS. GOOD LUCK WITH THE CLOSING. QUICK PREROGATIVE HERE. WE HAVE ONE PUBLIC HEARING WE CAN TAKE UP QUICKLY AS A WAY FOR US TO EXTEND A VERY IMPORTANT ORDINANCE WE HAVE POSTED ITEM 124, AUSTIN CLEAN WATER PROGRAM ORDINANCE EXTENSION. WE HAVE NO CITIZENS SIGNED UP AND STAFF WOULD LIKE TO GET THIS ACCOMPLISHED IN TIME TO DO CERTAIN THINGS THIS EVENING.

WE ARE REQUESTING EXTENSION OF ORDINANCE FROM DECEMBER 31st, 2007 TO JUNE 30th, 2009. WE HAVE A BRIEF PRESENTATION, MAYOR, IF YOU PREFER FOR US TO GIVE THE PRESENTATION.

MAYOR WYNN: BRIEFLY.

YES, SIR. E.P.A. -- [INDIES][INDIES][IN DISCERN IIBLE]

WE HAVE 100 PROJECTS THAT HAVE GONE THROUGH THE ORDINANCE AND IT EXPIRES DECEMBER 31st, 2007 AND WE ARE REQUESTING COUNCIL TO APPROVE TO EXTEND THE ORDINANCE TO JUNE 30th OF 2009. WE HAVE 17 MILES OF PIPELINE IN THE STREAM BANKS AND WE HAVE ENHANCED THE STREAM BANKS AND STABILIZED THE CREEKS. AND HERE ARE THE 63 PROJECTS THAT HAVE IMPROVEMENTS IN THE STREAM BANK OR REMOVE THE PIPELINE OF THE CREEKS. THIS IS ONE OF THE SEGMENTS WHERE WE HAD SIGNIFICANT EROSION, A LOT OF PIPELINES AND WASTEWATER LINES, MANHOLES IN THE CREEK AND THIS HAS BEEN REHAB WHERE ALL THE PIPES WERE REMOVED AND THIS IS HOW IT LOOKS IN THIS AREA. THAT CONCLUDES THE PRESENTATION, MAYOR. BE GLAD TO ANSWER ANY QUESTIONS.

MAYOR WYNN: THANK YOU. QUESTIONS OF STAFF, COUNCIL? COMMENTS? WE HAVE NO CITIZENS SIGNED UP ON THIS PUBLIC HEARING, ITEM 124 REGARDING THE ORDINANCE EXTENSION OF THE AUSTIN CLEAN WATER PROGRAM. I'LL ENTERTAIN A MOTION. MOTION BY MAYOR PRO TEM, SECONDED BY COUNCIL MEMBER MARTINEZ TO CLOSE THE HEARING AND EXTEND THE ORDINANCE AS RECOMMENDED BY STAFF. COMMENTS? HEARING NONE, ALL IN FAVOR PLEASE SAY AYE. [VOTING] MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH. OK. COUNCIL, NOW, FINALLY, APPRECIATE EVERYBODY'S PATIENCE, THAT TAKES US TO OUR ZONING CASES FOR THE EVENING. GOOD NEWS IS WE HAVE A MANAGEABLE NUMBER OF SPEAKERS. WELCOME MR. GREG GUERNSEY.

LET ME PRESENT OUR ZONING ORDINANCE AND COVENANT WHERE THE PUBLIC HEARINGS WERE CLOSED. THE FIRST I'LL OFFER IS ITEM 83, CASE C FOR THE PROPERTY AT EAST RIVERSIDE DRIVE. STAFF IS REQUESTING A POSTPONE THIS ITEM TO JANUARY 10th, BOTH THE APPLICANT AND WE ARE DISCUSSING WORKING IT OUT. IT IS ITEM 117 TIME INSURANCE 2 AT 1317 EAST RIVERSIDE DRIVE AND STAFF RECOMMENDS POSTPONING THIS TO THE JANUARY 10th

JEOPARDY. ITEM 85 IS CASE C14-2007-0083. THIS IS THE LAMAR MANCHACA MIXED USE. PROJECT AT 2711 AND 2715 SOUTH LAMAR BOULEVARD AND 2303-2901 MANCHACA ROAD AND 2806-3000 DEL CURTO. THIS IS COMBINED DISTRICT ZONING AND FAMILY RESIDENTS OR ASSET THREE DISTRICT ZONING TO COMMUNITY COMMERCIAL CONDITIONAL OVERLAY OR GRCO. TOWNHOUSE AND CONDITIONAL OVERLAY OR SF-3HCO COMBINED DISTRICT ZONING AND THIS IS READY FOR CONSENT APPROVAL ON SECOND AND THIRD READINGS. ITEM NUMBER 86 IS CASE C14-2007-0192, HABIBI'S HUTCH DAY CARE. THIS IS A REZONING REQUEST FROM FAMILY RESIDENCE THREE DISTRICT ZONING TO LIMITED OFFICE OVERLAY. THE APPLICANT HAS REQUESTED A POSTPONEMENT OF THIS CASE UNTIL JANUARY 10th. ITEM 87 IS CASE C14-2007-0216, THIS IS THE SOUTH MANCHACA VERTICAL MIXED USE OR VMU, APPROVE SECOND AND THIRD READINGS OF AN ORDINANCE TO TRACTS 1-5 AND 7-11 AND 13-20 ALONG THE SOUTH MANCHACA PLANNING AREA READY FOR CONSENT APPROVAL ON SECOND AND THIRD READINGS. ITEM NUMBER 88 IS CASE C14-2007-0220, THE BOULDIN CREEK VERTICAL MIXED USE TO APPROVE SECOND AND THIRD READINGS OF THESE ITEMS APPROVING THE DISTRICT TO TRACTS 1-128 AND 131-150 IN THE BOULDIN CREEK NEIGHBORHOOD PLANNING AREA, READY FOR CONCERT APPROVAL ON SECOND AND THIRD READINGS. ITEM NUMBER 89 IS CASE C-C14-2007-0224, TO AMEND THE CODE TO APPLY VERTICAL MIXED USE OR COMBINED TO TRACTS 302-322 AND TRACTS 324-326 AND TRACT 328 LOCATED IN THE GREATER SOUTH RIVER CITY NEIGHBORHOOD PLANNING AREA. THIS IS READY FOR CONCERT APPROVAL ON SECOND AND THIRD READINGS. DUE TO AN ERROR IN POSTING, STAFF RECOMMENDS THAT THE CONSIDERATION OF TRACT 323, THIS IS ONLY TRACT 323 BE POSTPONED TO YOUR JANUARY 10th AGENDA AND THE REST OF THOSE ITEMS COULD GO ON YOUR CONSENT AGENDA. THAT WOULD BE FOR CONSENT APPROVAL ON 89 AND POSTPONE ACTION ONLY ON TRACT 323. ITEM NUMBER 90 IS CASE C14-2007-0195 FOR THE DELTA DELTA DELTA SORORITY AT 5003 WEST 27th STREET, A REZONING REQUEST FROM MULTI-FAMILY RESIDENCE, MODERATE HIGH DENSITY PLANNED COMBINED TO HIGH DENSITY CONDITIONAL OVERLAY OR MF4CO COMBINED DISTRICT

ZONING AND READY FOR CONSENT APPROVAL ON SECOND AND THIRD READINGS. NUMBER 91, THIS CASE C14-2007-0110, SIGMA CHI FRATERNITY REZONING REQUEST ON ZONING TO MULTI-FAMILY RESIDENCE MODERATE-HIGH CONDITIONAL OVERLAY, COMBINED DISTRICT ZONING READY FOR CONSENT APPROVAL ON SECOND AND THIRD READINGS. NUMBER 92 IS CASE C14-2007-0113, TEJAS, THE REQUEST FOR MULTIFAMILY RESIDENCE TO MODERATE HIGH DENSITY, COMBINED DISTRICT ZONING AND READY FOR CONSENT APPROVAL ON SECOND AND THIRD READINGS. ITEM NUMBER 93 IS CASE C14-2007-0117, ALPHA CHI OMEGA SORORITY, COMBINED DISTRICT ZONING AND MULTI-FAMILY RESIDENCE, CONDITIONAL PLANNER COMBINED DISTRICT ZONING AND READIER CONSENT APPROVAL ON SECOND AND THIRD READINGS. ITEM NUMBER 94 IS C14 HAPPEN 2007-0118, BETA ALPHA CHAPTER OF ALPHA XI DELTA SORORITY, THIS IS A REZONING REQUEST FROM GENERAL COMMERCIAL SERVICES, COMBINED DISTRICT ZONING AND MULTI-FAMILY RESIDENCE, MODERATE HIGH DENSITY NEIGHBORHOOD PLAN, COMBINED TO MULTI-FAMILY RESIDENCE, MODERATE HIGH DENSITY, CONDITIONAL OVERLAY, MF-4-CO-NP READY FOR CONSENT APPROVAL ON SECOND AND THIRD READINGS. ITEM 94C14-2007-0119, TEXAS ALPHA HOUSE, REQUEST FOR MULTI-FAMILY RESIDENCE, COMBINED DISTRICT ZONING TO MULTI-FAMILY RESIDENCE, CONDITIONAL OVERLAY, NEIGHBORHOOD PLANNER, MF-4-CO-NP READY FOR DONE SENT APPROVAL ON SECOND AND THIRD READINGS. NUMBER 96 IS C14-2007-0128 AT PEARL STREET, REZONING REQUEST, MODERATE HIGH DENSITY, NEIGHBORHOOD PLAN COMBINED DISTRICT ZONING TO MULTI-FAMILY RESIDENCE, MODERATE HIGH DENSITY, COMBINED DISTRICT ZONING READY FOR CONSENT APPROVAL ON SECOND AND THIRD READINGS. ITEM 97, C14-2007-132, THIS IS A ZONING REQUEST FOR MULTI-FAMILY RESIDENCE MODERATE TO HIGH DENSITY, NEIGHBORHOOD PLANNER TO MULTI-FAMILY RESIDENCE, MODERATE AND HIGH DENSITY, NEIGHBORHOOD PLAN OR COMBINED DISTRICT ZONING AND READY FOR CONSENT APPROVAL ON SECOND AND THIRD READINGS. ITEM 98 IS C14-2007-0142, OMEGA BUILDING COMPANY, MODERATE HIGH DENSITY, COMBINED DISTRICT ZONING TO MULTI-FAMILY RESIDENCE, MODERATE HIGH

DENSITY CONDITIONAL NEIGHBORHOOD PLAN, COMBINING DISTRICT ZONING AND THIS IS READY FOR CONSENT APPROVAL ON SECOND AND THIRD READINGS. THIS CONCLUDES THE ITEMS I CAN OFFER FOR CONSENT APPROVAL AND THE PUBLIC HEARINGS HAVE BEEN CLOSED.

MAYOR WYNN: THANK YOU, MR. GUERNSEY. SO, COUNCIL, THE PROPOSED CONSENT AGENDA ON THESE ZONING CASES WHERE WE'VE ALREADY CLOSED THE PUBLIC HEARING WOULD BE TO POSTPONE ITEMS 83 AND 84 TO JANUARY 10th, 2008, TO APPROVE ON SECOND AND THIRD READING ITEM NUMBER 85, TO POSTPONE ITEM 86 AGAIN TO JANUARY 10th, 2008, TO APPROVE ON SECOND AND THIRD READINGS ITEMS 87, 88, 89. SAVE TRACT 323 POSTPONED TO JANUARY 10th, 2008. ALSO APPROVING ON SECOND AND THIRD READINGS, ITEMS 90, 91, 92, 93, 94, 95, 96, 97, AND 98. ENTERTAIN THAT MOTION. MOTION BY COUNCIL MEMBER LEFFINGWELL, SECONDED BY COUNCIL MEMBER MARTINEZ TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS.

MAYOR.

MAYOR WYNN: COUNCIL MEMBER.

I WANT TO ASK A QUESTION IF WE'RE POSTPONING ITEM 86, I WANT TO MAKE SURE AND TRY TO FIND OUT WHAT THE ISSUE IS. IF WE'RE APPROVING THE ZONING ON 85, I THINK WE STILL HAVE A PENDING ISSUE WITH THE HUTCH BECAUSE THEY ARE GOING TO BE EFFECTED BY THE DEVELOPMENT. I WANT TO MAKE SURE THAT THEY WILL STILL BE MOVED TO THE NEW LOCATION. STEVE, IF YOU COULD BRIEFLY ADDRESS THAT.

I SPOKE TO SOME VERY EXCITED PARENTS THIS MORNING WHO WERE HAPPY WE'RE FINALLY GETTING THROUGH.

WE WANT TO TIME THE ZONING WITH THE CLOSING OF THE LAND. THERE'S NO PROBLEM. IT'S STILL ALL READY TO GO.

WHILE YOU'RE UP HERE, MAYOR, I HAVE ANOTHER QUESTION. ON ITEM NUMBER 85, THERE'S BEEN SOME CONCERN ABOUT THE TRAFFIC ON DEL CURTO. COULD YOU

TALK ABOUT HOW YOU PLAN TO ADDRESS THAT ISSUE?

THE TRAFFIC ON DEL CURTO?

YES.

IT'S BEEN WORKED OUT WITH THE NEIGHBORHOOD AND WE HAVE A RESTRICTIVE COVENANT THAT ADDRESSES HOW THE CONSTRUCTION TRAFFIC WILL BE PHASED AND WE'LL USE THE MANCHACA AND LAMAR AS THE PRIMARY ACCESS AND LIMITED THE TIMES AND TYPES OF CONSTRUCTION ACCESS THEY CAN HAVE. AND I THINK THE NEIGHBORHOOD IS SATISFIED WITH WHAT WE'RE DOING.

THANKS.

MAYOR WYNN: AND WE HAVE A MOTION AND SECOND ON THE TABLE APPROVING THE CONSENT AGENDA AS READ. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR, PLEASE SAY AYE. [VOTING] OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCIL MEMBER McCRACKEN OFF THE DAIS.

LET ME CONTINUE WITH OUR 4:00 ZONING AND NEIGHBORHOOD PLANNING AMENDMENTS. ITEM NUMBER 99 IS CASE NPA-2007-0009.01. THIS IS IN THE CENTRAL EAST AUSTIN NEIGHBORHOOD PLANNING AREA. THIS IS THE McMANSION ORDINANCE AMENDMENT. THIS IS A POSTPONEMENT ITEM AND STAFF IS RECOMMENDING TO YOUR MEETING OF JANUARY 17th. ON THE RELATED ZONING ITEM, IT'S ITEM NUMBER 100, C14-01-041, THE McMANSION ORDINANCE AMENDMENT AND THAT ITEM ALSO STAFF IS WORKING ON POSTPONEMENT OF THAT ITEM UNTIL JANUARY 17th. ITEM NUMBER 101, CASE C14-2007-0108, THIS IS THE PROPERTIED LOCATED AT 5300-5304 AND 4500, 5400 NORTH LAMAR. THIS IS COMBINED DISTRICT ZONING AND GENERAL7NO CARRIERRINGCONNECT 57600 THE VENUE AT LAKE TRAVIS AT 6110, STAFF IS RECOMMENDING POSTPONEMENT OF THIS ITEM TO YOUR JANUARY 31st AGENDA. THE ZONING PLANNING COMMISSION WILL REVIEW THIS ON JANUARY 8TH. ITEM NUMBER 104 IS CASE C14-2007-0168. THIS IS REQUEST TO COMMUNITY COMMERCIAL RELATED COMBINED DISTRICT REZONING, THE PLANNING

COMMISSION RECOMMENDS THE GRANT TO THE GR-CO PLANNING REQUEST. ITEM NUMBER 1051 CASE C14-2007-0182, LOWER AGAVE HEIGHTS FOR THE PROPERTY LOCATED AT 6031 MOONGLOW TO SINGLE FAMILY RESIDENCE, SMALL LOT FOR THE ZONING AND PLANK COMMISSION RECOMMENDATION WAS TO GRANT THE REQUEST FOR SF-4A ZONING AND READY FOR APPROVAL ON FIRST READING OWN. ITEM 106 IS CASE C14-2007-0213, PEARCE ROAD FROM DR TO RR DISTRICT ZONING. THE PLANK COMMISSION RECOMMENDATION WAS TO GRAND THE RR AND THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM NUMBER 107 IS CASE C14-2007-215, LAKELINE RIVIERA ZONING, REQUEST FOR MULTI-FAMILY MEDIUM DENSITY OR MF-3 TO COMMUNITY COMMERCIAL MIXED USE OR GR-MU COMBINED DISTRICT ZONING. THE PLANNING COMMISSION WAS TO GRANT THE COMMUNITY COMMERCIAL MIXED USE COMMERCIALAL OVERLAY OR COMBINED DISTRICT ZONING AND THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM NUMBER 108 IS CASE C14-2007-00920092, THIS IS AN APPLICANT REQUEST FOR THE JANUARY 31st AGENDA. ITEM NUMBER 109 IS C814-91-0001.05, LITTLE TEXAS PUD REVISION NUMBER 5 LOCATED AT 1003 AND 1005 LITTLE TEXAS LANE AND 6100 NORTH IH PERFORM 35 SERVICE ROAD. THIS IS A REZONING REQUEST FROM PLANNED UNIT DEVELOPMENT NEIGHBORHOOD PLANNING PUD-NP TO PLANNED DEVELOPMENT NEIGHBORHOOD PLAN OR PUD-NP TO CHANGE A CONDITION OF ZONING. THE PLANNING COMMISSION REPRESENTATION WASRECOMMENDATION WAS TO GRANT. THIS IS READY FOR CONSENT APPROVAL. ITEM 110 IS ALSO RELATED TO ITEM 11, THIS IS NPA-2007-0015.03 FOR THE PROPERTY LOCATED IN THE EAST MLK COMBINED NEIGHBORHOOD PLANNING AREA, AN AMENDMENT TO THE AUSTIN COMPREHENSIVE PLAN TO CHANGE THE LAND USE DESIGNATION FROM MIXED USE TO INDUSTRIAL FOR THE PROPERTY LOCATED AT 6121FM969. THE PLANNING COMMISSION WAS TO GRANT THIS CHANGE. IT'S RAUFL FOR APPROVAL ON ALL THREE READINGS. NUMBER NUMBER 111 IS AT THE SAME ADDRESS AND IT WAS TO REZONE THE PROPERTY FROM GENERAL COMMERCIAL SERVICES NEIGHBORHOOD PLAN TO CONDITIONAL OVERHEAD NEIGHBORHOOD PLANNER COMBINED DISTRICT ZONING. THE PLANNING COMMISSION RECOMMENDATION

WAS TO GRANT THE REQUEST FOR LI-CO AND THIS IS READY FOR ALL THREE READINGS. NUMBER 112 ALSO RELATED TO ITEM 113. IT IS CASE NPA-2007-0014.01, FELTER INVESTMENTS FOR THE PROPERTY LOCATED AT 7910 BURLESON ROAD LOCATED IN THE SOUTHEAST COMBINED NEIGHBORHOOD PLANNING AREA AS AN AMENDMENT TO THE AUSTIN SMALL COMPREHENSIVE PLAN TO CHANGE THE DESIGNATION OF THE FUTURE LAND USE MAP TO RELOCATE THE OPEN SPACE AND INDUSTRIAL DESIGNATIONS FOR THE SAME PROPERTY. THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT THE REQUEST AND IT'S READY FOR CONSENT APPROVAL ON ALL THREE READINGS. THE ZONING CASE C14-2007-0152 ITEM 113 FOR THE PROPERTY LOCATED AT 7910 BURLESON ROAD TO REZONE THE PROPERTY COMBINED DISTRICT ZONING, INDUSTRIAL PART, CONDITIONAL OVERLAY NEIGHBORHOOD PLANNER AND IP-NP COMBINED DISTRICT ZONING TO RURAL RESIDENCE, CONDITIONAL OVERLAY NEIGHBORHOOD PLAN OR RR-CO-NP FOR TRACT 1 AND LIMITED INDUSTRIAL SERVICE CONDITIONAL OVERLAY NEIGHBORHOOD PLAN. THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT RR-CO-NP ON DISTRICT PLANNING FOR TRACT 1 AND IT'S READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM 114 HAD IS CASE NPA-2007-0005.01, JOCKEY TRACK LOCATED IN THE MONTOPOLIS NEIGHBORHOOD PLAN. THIS IS TO CHANGE THE LAND USE DESIGNATION FROM COMMERCIAL MIXED USE TO INDUSTRIAL. THE PLANNING COMMISSION RECOMMENDATION RECOMMENDATION WAS TO GRANT THIS LAND USE CHANGE DESIGNATION. ANOTHER RELATED ITEM 115, C14-2007-0186, THIS IS REZONING TOWNHOUSE CONDOMINIUM PLANNING TO MULTI-FAMILY MEDIUM DENSITY, GENERAL COMMERCIAL SERVICES CONDITIONAL OVERLAY NEIGHBORHOOD PLANNER COMBINED DISTRICT ZONING AND SINGLE FAMILY RESIDENCE, SMALL LOT NEIGHBORHOOD PLANNER NP TO INDUSTRIAL PARK, CONDITIONAL OVERLAY NEIGHBORHOOD PLANNER IP-CO-NP. THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT THE IP-CO-NP READY FOR CONSENT APPROVAL ON FIRST READING ONLY.

MAYOR WYNN: ACTUALLY, IF YOU COULD HALT FOR A SECOND. I HAVE A CITIZEN SIGNED UP IN OPPOSITION. I

WANT TO MAKE SURE THEY ARE OPPOSED. IS JAY VALE
HERE? YOU ARE IN OPPOSITION?

YES.

MAYOR WYNN: WE WILL HEAR IT AS A PUBLIC HEARING.
WE'LL HEAR ITEM 114 AND 115 COMBINED.

THANK YOU.

I WILL CONTINUE. ITEM 116 IS CASE NPA-2007-0006.01, THIS IS
BAYLOR CONDOMINIUMS AND THE CASTLE LOCATED AT THE
PROPERTY OF 1008 BAYLOR AND 1111 WEST 11th STREET.
THIS IS TO AMEND THE OLD WEST AUSTIN NEIGHBORHOOD
PLAN AND THE AUSTIN COMPREHENSIVE PLAN. THE
PLANNING COMMISSION PLAN WAS TO APPROVE THE TEXT
AMENDMENT TO ALLOW FOR REZONING. STAFF HAS MET
WITH THE APPLICANT, THE NEIGHBORHOOD PLANNING
CONTACT TEAM. AND THE PROPERTY OWNER. THOSE
PARTIES BROUGHT FORWARD A SUGGESTION TO ADD SOME
ADDITIONAL TEXT TO THE PLAN. STAFF HAS NO OBJECTION
TO THIS AND THE REVISED WORDING WOULD BE NO ZONING
CHANGES TO A MORE PERMISSIVE ZONING CATEGORY TO
BE PERMITTED WITH THE EXCEPTIONS DUE TO
CONSIDERATION OF CONDITIONS THAT ENSURE
COMPATIBILITY WITH THE RESIDENTIAL CHARACTER OF THE
CORE. AND THIS EXPAND LANGUAGE THAT THE PLANNING
COMMISSION APPROVED ON CONSENT AND HAD SOME
CLARITY TO THAT. IF THERE'S NO OBJECTION, WE CAN ADD
THAT LANGUAGE AND KEEP THIS ALREADY FOR THIRD
READING APPROVAL. THE RELATED ZONING CASE IS C14-
2007-0201, AGAIN THE BAYLOR CONDOMINIUM AND THE
CASTLE ON WEST 11th STREET. AND THIS IS FOR THE SAME
PROPERTY AT 1008 BAYLOR AND 1111 WEST 11th STREET,
REZONING REQUEST FROM MULTI-FAMILY RESIDENCE,
MODERATE-HIGH DENSITY, COMBINED DISTRICT ZONING,
FAMILY RESIDENCE, HISTORIC NEIGHBORHOOD PLAN,
LIMITED OFFICE HISTORIC NEIGHBORHOOD PLANNER LO-H-
NP, COMBINED DISTRICT ZONING FOR TRACT 1 AND LIMITED
OFFICE MIXED USE HISTORIC NEIGHBORHOOD PLANNING
COMBINED DISTRICT ZONING FOR TRACT 2. THE PLANNING
COMMISSION WAS TO GRANT THE COMBINED DISTRICT
ZONING FOR TRACT ONE AND THE COMBINED DISTRICT

ZONING FOR TRACT 2. AND THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM NUMBER 118 IS CASE C14-2007-0164. THIS IS THE SEAHOLM POWER PLANT DEVELOPMENT. THIS IS A REZONING REQUEST FROM PUBLIC ZONING TO DOWNTOWN MIXED USE CENTRAL REDEVELOPMENT OR DMU-CURE. THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT THE DOWNTOWN MIXED USE CENTRAL URBAN REDEVELOPMENT OVERLAY DMU-CURE, COMBINED DISTRICT ZONING. THIS IS ON FIRST READING ONLY. ITEM NUMBER 119, THIS IS CASE C14-2007-0129 NGTS CUMBERLAND RESIDENTIAL AT 1001 CUMBERLAND ROAD REZONING REQUEST FROM MULTI-FAMILY RESIDENCE LIMITED DENSITY CONDITIONAL OVERLAY OR MF-1-CO TO TOWNHOUSE AND CONDOMINIUM RESIDENCE. THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT THE COMBINED DISTRICT ZONING. AND THIS IS READY FOR FIRST READING. ITEM NUMBER 120.

MAYOR WYNN: HOLD ON JUST A MINUTE.

I WANT TO LEAVE THAT ON CONSENT. BUT I DID WANT TO MAKE ONE COMMENT. I UNDERSTAND FROM THE NEGOTIATIONS THAT WENT ON BETWEEN THE DEVELOPER AND THE NEIGHBORHOOD -- AND BY THE WAY, IT LOOKS LIKE THEY WERE VERY, VERY GOOD. THE DEVELOPER DID OFFER TO COMMIT 50,000 IN HIS DEVELOPMENT BUDGET TO ALLOW FOR TRAFFIC CALMING IN FRONT OF THAT PARTICULAR PROPERTY. SO WHAT I'D LIKE TO ASK IS FOR THE STAFF AND THE MANAGER TO LOOK AT THAT AND DETERMINE, YOU KNOW, HOW THAT CAN BE DONE.

WE CAN DO THAT.

ALL RIGHT. THANK YOU.

ITEM 120 IS C14-2007-185, BRAKIER LANE CENTER, THIS ZONING REQUEST HAS BEEN WITHDRAWN. NO ACTION IS REQUIRED. THAT'S ITEM 120. ITEM 121, THIS IS CASE C14-2007-0218, THIS IS THE 620/183 LIMITED PARTNERSHIP PROPERTY AT 10700-10704 LAKELINE MALL DRIVE. THIS IS A DISCUSSION ITEM. I UNDERSTAND THE APPLICANT WOULD LIKE TO DISCUSS THE ZONING AND PLANNING COMMISSION'S

RECOMMENDATION. THAT'S ITEM NUMBER 120. ITEM 122, IS CASE NPA-2007-0016.02. THE GOVALLE LAND WITHIN THE JOHNSON GOVALLE, JOHNSTON TERRACE COMBINED NEIGHBORHOOD PLANNING AREA. THIS IS A POSTPONEMENT REQUEST BY STAFF TO JANUARY 31st. AND THE RELATED ITEM, THE ZONING CASE IS ITEM NUMBER 123, CASE C14-2007-0146. SH. STAFF IS RECOMMENDING POSTPONEMENT TO THE JANUARY 31st AGENDA. THAT CONCLUDES THE ITEMS I CAN OFFER FOR CONSENT AT THIS TIME.

MAYOR WYNN: THANK YOU, MR. GUERNSEY. COUNCIL, THE PROPOSED CON SEND AGENDA ON THE ZONING CASES WHERE WE HAVE JET TO CONDUCT -- YET TO CONDUCT THE PUBLIC HEARING, IT WILL TO POSTPONE ITEM 99 AND 100 TO JANUARY 17th, 2008. POSTPONE ITEM 101 TO JANUARY 31st, 2008. POSTPONING ITEM NUMBER 102 TO JANUARY 10th, '08. AND POSTPONING ITEM 103 TO JANUARY 31st, 2008. WE'LL CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY ITEMS 104 AND 105. IF YOU WILL CLOSE THE PUBLIC HEARING, APPROVE ON ALL THREE READINGS CASES 106 AND 107. POSTPONE ITEM 108 TO JANUARY 31st, 2008. WE WILL CLOSE THE PUBLIC HEARING AND APPROVE ON ALL THREE READINGS, CASES 109, 110, 111, 112, AND 113. WE WILL CLOSE THE PUBLIC HEARING AND APPROVE ON ALL THREE READINGS AND GRANT THE AMENDMENT, I GUESS IN ITEM 116. WE'LL CLOSE THE PUBLIC HEARING AND APPROVE ON ALL THREE READINGS ZONING CASE 117. CLOSE THE PUBLIC HEARINGEN APPROVE ON FIRST READING ONLY CASES 118 AND 119. WE WILL NOTE THAT CASE 120 HAS BEEN WITHDRAWN. AND WE WILL POSTPONE ITEMS 122 AND 123 TO JANUARY 31st, 2008. I'LL ENTERTAIN THAT MOTION.

SO MOVED.

MAYOR WYNN: MOTION MADE BY THE MAYOR PRO TEM. SECONDED BY COUNCIL MEMBER COLE TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS. HEARING NONE, ALL THOSE IN FAVOR, PLACE SAY AYE. [VOTING] OPPOSED. MOTION PASSES ON A VOTE OF 6-0 WITH COUNCIL MEMBER McCracken OFF THE DAIS.

THANK YOU, MAYOR AND COUNCIL. I CAN BRING US BACK TO ITEMS 114 AND 115 WHICH INVOLVE THE JOCKEY TRACT

PROPERTY. LET ME READ THOSE ITEMS INTO THE RECORD. THAT'S CASE NPA-2007-0005.01. THIS IS PROPERTY LOCATED IN THE MONTOPOLIS TO CHANGE THE LAND USE DESIGNATION ON THE FUTURE LAND USE MAP FROM COMMERCIAL AND MIXED RESIDENTIAL TO INDUSTRIAL FOR THE PROPERTY AT 912 BASTROP HIGHWAY. THIS IS A REZONING REQUEST FROM TOWNHOUSE, RESIDENTS, NEIGHBORHOOD PLAN WHICH IS COMBINED DISTRICT ZONING, MULTI-FAMILY RESIDENTS, MEDIUM DENSITY OR COMBINED DISTRICT ZONING, GENERAL COMMERCIAL SERVICES, CONDITIONAL OVERLAY NEIGHBORHOOD PLAN OR COMBINED DISTRICT ZONING AND SINGLE FAMILY RESIDENCE SMALL LOT NEIGHBORHOOD PLAN OR SF-4A-NP TO THE COMBINED DISTRICT ZONES. THE PLANNING COMMISSION'S RECOMMENDATION WAS TO GRANT THIS REQUEST. THE REQUEST WAS APPROVED ON THEIR CONSENT AGENDA TO CHANGE THE FUTURE LAND USE MAP. AS I MENTIONED IN THE PRIOR ITEM, AND TO APPROVE THE STAFF RECOMMENDATION OF IP-CO ZONING ON CONSENT. THE STAFF RECOMMENDATION AND THE COMMISSION RECOMMENDED WAS TO LIMIT THE PROPERTY TO LESS THAN 2,000 VEHICLE TRIPS PER DAY, TO CLOSE THE EANES DRIVE WHERE IT DEAD ENDS INTO THE PROPERTY. TO REQUIRE A 50-FOOT VEGETATIVE BUFFER AROUND THE SOUTHWEST PROPERTY LINE. REQUIRE A FENCE BETWEEN THE 50-FOOT BUFFER AND THE REMAINDER OF THE PROPERTY. THAT NO DOORS EXCEPT FOR EMERGENCY EXIT DOORS AND FIRE DOORS THAT WILL BACK UP TO RIVERSIDE MEADOWS SECTION 1 AND THIS PROVISION MAY BE INCLUDED IN A PUBLIC RESTRICTIVE COVENANT AND CONDITIONAL OVERLAY. BOTH OF THESE ITEMS ARE ONLY FOR ACTION THIS EVENING FOR FIRST READING. THE PROPERTY CONSISTS OF APPROXIMATELY 42.42 ACRES OF LAND AND CONSISTS OF TWO LARGE CONTIGUOUS LOTS THAT ARE CURRENTLY UNDEVELOPED. THE LARGEST TRACT WAS GIVEN IN THE LAND USE AND ZONING DESIGNATION TO ALLOW FOR COMMERCIAL USES AND THE SMALLER TRACT HAD LAND USE DESIGNATION FOR RESIDENTIAL MIXED RESIDENTIAL AND SINGLE FAMILY. NOW, THE APPLICANT IS REQUESTING A PLANNING AMENDMENT AND ZONING CHANGE TO CONSTRUCT THREE WAREHOUSES ON THE SITE. THE SITE CURRENTLY, AS I SAID, IS VACANT TO THE NORTH

OF THE PROPERTY AND INDUSTRIAL USE AND CURRENTLY USED FOR WAREHOUSING TO THE SOUTH IS SINGLE FAMILY RESIDENTIAL WHICH ARE SINGLE FAMILY USES. THE COMMERCIAL USES TO THE EAST, WHICH ARE ZONED IN COMMERCIAL BUSINESS PARK. AND TO THE WEST ARE SINGLE FAMILY RESIDENCES. THE PROPERTY IS INAPPROPRIATE FOR RESIDENTIAL USES DUE TO THE PROXIMITY OF THE AIRPORT OVERLAY AND THE EXISTING INDUSTRIAL USES AND HIGH-TENSION ELECTRICAL TRANSMISSION LINE WHICH IS NEARBY. THE MONTOPOLIS NEIGHBORHOOD PLAN UNDER THE CITY OF AUSTIN NEIGHBORHOOD PLAN WAS ADOPTED ON SEPTEMBER 27th, 2001. THE PLAN AMENDMENT AND THE REQUESTED PLAN AMENDMENT IN THE MONTOPOLIS PLANNING AREA, THE BOUNDARIES AGAIN ARE THE BASTROP HIGHWAY AND GROVE BOULEVARD TO THE NORTH-NORTHWEST. THE APPLICANT'S REPRESENTATIVE IS HERE. THERE WAS A PUBLIC MEETING THAT WAS HELD WITH STAKEHOLDER INPUT ON NOVEMBER 8TH, 2007. INVITATION WAS SENT TO PROPERTY OWNERS, UTILITY ACCOUNT OWNERS AND PROPERTY OWNERS OF ALL PROPERTY WITHIN 300 FEET OF THE PROPOSED AREA. THE NEIGHBORHOOD CONTACT TEAM, THE MONTOPOLIS NEIGHBORHOOD ASSOCIATION DOES OFFICIALLY SUPPORT THE NEIGHBORHOOD PLAN AMENDMENT AND THE ZONING CHANGE AS REQUESTED.

MAYOR WYNN: THANK YOU, MR. GUERNSEY, QUESTIONS OF STAFF? WE HAVE ONE PERSON IN OPPOSITION SO WE WILL CONDUCT A COMBINED PUBLIC HEARING OF THIS CASE 114 AND 115. FURTHER QUESTIONS OF STAFF? IF NOT, THEN WE WILL CONDUCT THE PUBLIC HEARING. LET'S SEE. I BELIEVE OUR AGENT FOR THIS COMBINED --

TECHNICALLY, IT WOULD BE THE MONTOPOLIS NEIGHBORHOOD CONTACT TEAM. I THINK THERE IS AN OWNER REPRESENTATIVE. THERE'S A BILL FAUST HERE REPRESENTING THE PROPERTY OWNER THAT ATTENDED SOME OF THE MEETINGS. BUT YOU COULD SAY THAT THE STAFF'S PRESENTATION WOULD PROBABLY BE THE REPRESENTATION FOR THE CONTACT TEAM UNLESS THERE IS AN ACTUAL CONTACT TEAM REPRESENTATIVE HERE FOR THE MONTOPOLIS NEIGHBORHOOD.

MAYOR WYNN: FAIR ENOUGH. WITHOUT OBJECTIONS, COUNCIL? SO WITH THAT THEN, WE WILL HEAR FROM FOLKS IN FAVOR OF THE ZONING CASE AND THE FUTURE LAND USE MAP DESIGNATION. AND THEN WE'LL HEAR FROM FOLKS IN OPPOSITION. WE HAVE ONE SPEAKER FOR EACH. MR. BILL FAUST IS HERE IN SUPPORT OF THESE TWO ITEMS. WELCOME, BILL. YOU HAVE THREE MINUTES.

THANK YOU, MR. MAYOR, MEMBERS OF THE COUNCIL. I'M BILL FAUST. I REPRESENT THE SELLER OF THE PROPERTY AND THE BUYERS OF THE PROPERTY. THE MAIN REASON WE'RE HERE ASKING FOR THE CHANGE IS THAT THIS IS IN THE AO3 ZONE. AS MANY OF YOU KNOW, WE'VE BEEN TRYING TO FIND A GOOD USE FOR THIS LIST PROPERTY NOW FOR SEVERAL YEARS AS BEING CALLED THE JOCKEY TRACK BECAUSE THAT WAS WHAT IT WAS ORIGINALLY GOING TO BE. AND WE WERE ABLE TO SELL THE FRONT HALF OF THIS TO SYNTAX HOMES AND THEY HAVE DONE AN OUTSTANDING JOB BUILDING SOME RESIDENTIAL PROPERTIES INSIDE AND AFFORDABLE HOUSING INSIDE THAT AREA. AND WE'RE PLANNING ON BUYING THE BALANCE OF THE TRACT, BUT BECAUSE OF THE ZONE IT WAS IMPOSSIBLE TO DO IT WITH RESIDENTIAL. THIS PROPERTY HAS A HIGH LINE GOING ACROSS DISSECTING IT. IT'S NEXT TO A GAS LINE. WE'RE GOING TO CLOSE THE MAIN ROAD THAT COMES FROM RIVERSIDE MEADOWS UP TO THE PROPERTY AND THE BALANCE OF THE PROPERTY BEING CS. AND THE USE OF THAT IS NOT COMPATIBLE WITH THAT NEIGHBORHOOD. SO WE VOLUNTEERED THAT WE WOULD CLOSE THAT ROAD AND PUT A FENCE UP TO KEEP THE KIDDOS AWAY AND KEEP THEM OUT OF ANY DANGER. THE ONLY THING WE WOULD HAVE ON THE BACKSIDE FACING NEAR THE NEIGHBORHOOD WOULD BE WALL PACKS AND LIGHTS THAT WOULD SHINE STRAIGHT DOWN FOR SECURITY PURPOSES ONLY. THERE WILL BE A DRIVEWAY TO COMES ALONG THE BACK OF IT FOR FIRE PROTECTION ONLY. AND WE'VE GOT NO TRAFFIC GOING THROUGH THE NEIGHBORHOOD. ALL THE TRAFFIC WOULD GO BACK OUT ON TO 183 OR GO BACK THROUGH AIRPORT COMMERCE. SO WE FEEL LIKE IT'S A VERY WELL THOUGHT OUT PROJECT. AND IT'S VERY CONSIDERABLE CONSIDERING ALL THE AS PECTS OF THE NEIGHBORHOOD ASSOCIATION. WE HAVE SUPPORT THERE. WE HAVE SUPPORT FROM ALL

THE OTHER NEIGHBORHOODS IN THE AREA. WE'VE HAD THREE NEIGHBORHOOD MEETINGS INCLUDING THE TWO THAT THE STAFF PUT ON FOR THEMSELVES. SO WE JUST ASK YOUR PRAUMP APPROVAL OF THIS ZONING CHANGE.

MAYOR WYNN: THANK YOU, MR. FAUST. QUESTIONS FOR MR. FAUST, COUNCIL? IF NOT, WE'LL GO TO FOLKS HERE IN OPPOSITION. OUR ONE SPEAKER IN OPPOSITION IS JAY VALE. I'D LIKE TO WELCOME MR. VALE. YOU, TOO, WILL HAVE THREE MINUTES.

I REPRESENT THE PROPERTY AT 1430 FRONTIER VALLEY DRIVE, WHICH IS FRONTIER VALLEY MOBILE HOME PARK. WE OBVIOUSLY WITH REGARDS TO THE PRIOR MEETINGS, I WAS OUT OF TOWN AND UNABLE TO ATTEND SO I APOLOGIZE TO THE FOLKS THAT HAVE PUT SO MUCH TIME INTO THIS. WE OBVIOUSLY HAVE SOME CONCERNS THAT I MAY HAVE BEEN ABLE TO BE PRIVY TO IF I WAS ABLE TO MAKE THE MEETINGS SO I APOLOGIZE. BUT OUR CONCERNS WERE THINGS LIKE POLLUTION DEBRIS AND THE OVERALL TRAFFIC ISSUE WITH REGARDS TO GETTING IN AND OUT OF THE INDUSTRIAL PARK. WE SPOKE WITH THE MAJORITY OF OUR TENANTS AND HOMEOWNERS IN OUR PARTICULAR PARK. AND MOST WERE IN OPPOSITION OF IT. SO WE'RE JUST HERE, YOU KNOW, TO PRESENT OURSELVES AS OPPOSING THE CHANGE OF USE. AND THAT'S REALLY ALL WE HAVE. SO I APPRECIATE YOU.

MAYOR WYNN: THANK YOU, MR. VALE. HOPEFULLY, YOU'LL HEAR SOME OF YOUR CONCERNS ALLEVIATED. SO, COUNCIL, THAT'S ALL THE FOLKS THAT SIGNED UP IN OPPOSITION. TYPICALLY, WE HAVE A ONE-TIME THREE-MINUTE REBUTTAL FROM THE APPLICANT. PERHAPS IF MR. GUERNSEY COULD GET BACK UP, HE AND/OR MR. FOWST WOULD BE -- FAUST WOULD BE AVAILABLE FOR QUESTIONS. QUESTIONS PERHAPS FOR MR. VALE'S SAKE AS WELL AS MINE, WOULD YOU WALK THROUGH AGAIN THE LIMITATIONS THAT STAFF HAD BEEN RECOMMENDING BEFORE IT GOT UNANIMOUS APPROVAL BY THE PLANNING COMMISSION?

THERE WERE CONDITIONS THAT THE PIPE EMISSION ADOPTED AND THE STAFF RECOMMENDATION AND THE CONDITIONS THAT MIGHT ADDRESS SOME OF THE

CONCERNS DEALING WITH TRAFFIC, THAT THERE WOULD BE A PERMANENT CLOSE OF THE EANES DRIVE WHERE IT DEAD ENDS INTO THE PROPERTY, THE NEIGHBORHOOD IN THE SOUTH. I THINK THE GENTLEMAN I WAS SPOKING TO, I THINK HE WAS A BIT FURTHER TO THE WEST OF THAT, THAT PARTICULAR SUBDIVISION, BUT THERE IS A REQUIREMENT FOR A 50-FOOT VEGETATIVE BUFFER AROUND THE SOUTH AND WEST PROPERTY LINES AND THAT THERE WOULD BE A REQUIREMENT BETWEEN THE 50-FOOT BUFFER, THERE'S A FENCE THAT WOULD BE PROVIDED AND THE REMAINDER OF THE PROPERTY. THERE ALSO WOULD BE NO DOORS OR EMERGENCY DOORS OR EXIT DOORS THAT WOULD OPEN BACK UP TO RIVERSIDE MEADOWS. IT'S PROBABLY MORE TO THE SOUTH OF THIS PROPERTY BUT THAT NEIGHBORHOOD IS DIRECTLY ADJACENT TO THIS PROPERTY. AT THE TIME WHEN THE PROPERTY IS ALSO DEVELOPED, WE HAVE WHAT'S CALLED COMPATIBILITY STANDARDS. THERE WOULD BE LIGHTING. THE LIGHTING SOURCE WOULD HAVE TO BE SHIELDED FROM THE ADJACENT RESIDENTS AND HAVE TO SHINE DOWNWARD. IF THEY HAD NOISE OF MECHANICAL EQUIPMENT, IT COULDN'T EXCEED 70-DECIBELS AT THE PROPERTY LINE. THEY COULD NOT USE REFLECTIVE GLASS MATERIAL ON THE BUILDING. THEIR MECHANICAL EQUIPMENT AND THEIR DUMPSTERS AND THEIR PARKING WOULD HAVE TO BE SCREENED FROM VIEW FROM THE PROPERTY THAT'S NEARBY THAT IS ZONED OR USED FOR SINGLE FAMILY USES. AND THERE ARE SETBACK REQUIREMENTS. GIVEN THE DISTANCE FROM THE RESIDENTIAL USES AND SETBACKS THAT THE APPLICANT HAS PROVIDED ABOVE AND BEYOND THE COMPATIBILITY, THEY PROBABLY SHOULD NOT HAVE A PROBLEM WITH THE COMPATIBILITY STANDARDS AS FAR AS THE HEIGHT OF THE BUILDINGS.

MAYOR WYNN: THANK YOU.

AND MAYOR, THIS IS ONLY READY FOR FIRST READING.

MAYOR WYNN: CORRECT.

FOR BOTH OF THESE ITEMS.

MAYOR WYNN: CORRECT. ARE THERE QUESTIONS OF

STAFF? COMMENTS?

JUST ONE QUESTION. MR. GUERNSEY, IS THIS THE PROPERTY THAT THE CITY EITHER PURCHASED OR CONSIDERED PURCHASING SEVERAL YEARS AGO?

IT IS. AND WE HAD A CONSIDERABLE DISCUSSION. IF YOU MAY RECALL, THE ONES THAT WERE HERE THAT HAD FUN WITH THIS TRACT, THIS WAS ACTUALLY PULLED OUT. THERE WAS A LENGTHY DISCUSSION AND LATER IT WAS ZONED AND THE LAND USE DESIGNATION WAS GIVEN AT A LATER DATE AFTER THE PLAN WAS PRETTY MUCH IN PLACE. THERE WAS A TREMENDOUS AMOUNT OF INPUT ON THIS PROPERTY ABOUT WHAT THE POTENTIAL USE WOULD BE. ULTIMATELY, THE MAJORITY OF THE PROPERTY WAS DEVELOPED WITH SINGLE-FAMILY HOMES.

IF I REMEMBER THIS PORTION, IT WAS HIGHLY CONSTRAINED WITH THE PIPELINE SETBACKS THAT WENT THROUGH IT AND THE OVERHEAD.

THAT'S CORRECT. IT HAS A TRIPLE COMBINATION OF HIGH-POWER ELECTRICAL LINES, UNDERGROUND PIPELINE AND THEN IT ALSO IS LOCATED IN THE A03 ZONE WHICH IS THE AIRPORT NOISE COMPATIBILITY AREA WHICH WOULD PROHIBIT RESIDENTIAL USES.

I WOULD MOVE APPROVAL OF THE STAFF AND PLANNING COMMISSION STAFF RECOMMENDATION.

MAYOR WYNN: MOTION BY MAYOR PRO TEM TO CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING THE PLAN COMMISSION RECOMMENDATION, WHICH INCORPORATES STAFF LIMITATIONS. ACTUALLY SECONDED BY COUNCIL MEMBER COLE. OTHER COMMENTS? I WILL NOTE FOR MR. VALE'S SAKE, THIS IS ON FIRST READING ONLY WHICH MEANS IT'S NOT FINAL UNTIL NEXT MONTH SOMETIME. AND THAT SHOULD GIVE YOU AND YOUR NEIGHBORS TIME, JAY, TO REVIEW THE ACTUAL PLAN ITSELF AND SEE THE CONSTRAINTS AND SETBACKS AND SCREENING. AND HOPEFULLY, IT WILL APPEASE YOU AND/OR YOUR NEIGHBORS. MOTION IS SECONDED ON THE TABLE. FIRST READING ONLY. FIRST COMMENTS. HEARING NONE,

ALL THOSE IN FAVOR, PLEASE SAY AYE. [VOTING] OPPOSED.
MOTION PASSES. THE COMBINED CASE 114-115.

THAT BRINGS US TO OUR LAST CASE FOR THIS YEAR. IT'S CASE C14-2007-0218, ITEM 121 ON YOUR AGENDA. THIS IS FOR THE PROPERTY LOCATED AT 10700 TO 10704 LAKELINE MALL DRIVE. S PROPERTY IS CURRENTLY ZONED GR-MU, COMMERCIAL MIXED USE AND IS REQUESTING MF4 DISTRICT ZONING. THE PROPERTY IS APPROXIMATELY 8.2 ACRES IN SIZE AND THE ZONING AND PLANNING COMMISSION'S RECOMMENDATION WAS TO GRANT THE MF-4-CO DISTRICT ZONING ON THIS PROPERTY WITH THE ZNL OVERLAY THAT THE DENSITY BE LIMITED TO MF3 STANDARDS NOTING THAT IT WOULD BE A MAXIMUM OF APPROXIMATELY 36 UNITS PER ACRE. THAT WOULD BE 36 UNITS PER ACRE IF THEY WERE BUILT OUT AT ALL EFFICIENCIES. IF THERE WAS A MIX OF ONE-BEDROOM AND TWO-BEDROOM UNITS ON THIS PROPERTY, THE DENSITY LIMITATION WOULD BE APPROXIMATELY 26.4. THE PROPERTY IS CURRENTLY UNDEVELOPED AND IT'S VEGETATIVE AND RELIES ONE OF THE REHABILITATION PLANNED DEVELOPMENT WHICH WAS RECENTLY APPROVED AS A NORTHWEST TRANSIT T.O.D. SITE. AND THIS IS COMMISSION AND MIXED USE ON THE PROPERTY. IT IS LOCATED AT THE INTERSECTION OF TWO ROADWAYS. AND IT IS ABOUT A QUARTER OF A MILE SOUTHEAST OF THE FUTURE INTERSECTION OF LYNN HEARST WHERE THERE'S A PROPOSED TRANSIT STATION. THE ADJACENT PROPERTIES TO THE SOUTH AND NORTH ARE CURRENTLY UNDER DEVELOPMENT WITH AN OFFICE CENTER. TO THE SOUTH IS ZONED GR, UNDEVELOPED. TO THE EAST IS THE PLANNED DEVELOPMENT OF THE PUD, UNDEVELOPED. AND THERE IS POTENTIAL FOR A GREAT DEAL OF MIXED USE ON THAT PROPERTY. AND TO THE WEST IS GR. THE PROPERTY IS LOCATED IN THE LAKE CREEK WATERSHED WHICH WOULD HAVE A MAXIMUM COVERAGE OF 60% OR 65% WITH TRANSFERS WHICH WOULD BE MORE RESTRICTIVE THAN THE CURRENT ZONING IMPERVIOUS ELEMENTS ON THIS PROPERTY. I GUESS AT THIS POINT, I'LL PAUSE. THERE'S A MR. DAVID HARTMAN HERE WHO CAN SPEAK TO THIS CASE AND HIS CONCERNS ABOUT THE ZONING PLANNING COMMISSION RECOMMENDATION.

MAYOR WYNN: THANK YOU, MR. GUERNSEY. QUESTIONS OF

STAFF, COUNCIL? COMMENTS? WE HAVE NO CITIZENS OTHERWISE SIGNED UP TO SPEAK FOR OR AGAINST. SO WELCOME, MR. HARTMAN'S COMMENTS.

MR. MAYOR AND COUNCIL, DAVID HARTMAN, ATTORNEY AND AGENT FOR THE APPLICANT. I HAVE FOUR REAL QUICK SLIDES THAT I'LL ZIP THROUGH. GENERALLY SPEAKING, AS STAFF INDICATED, THIS IS 8.32 ACRES. BASICALLY, YOU ARE RIGHT NEXT TO LAKELINE MALL AREA, CORNER MUCH U.S. 183 AND FM620, RIGHT IN THAT AREA BASICALLY IS WHERE SH35 HAS OPENED UP, THE COMMUTER RAIL METRO IS GOING TO BE INSTALLED AND OPEN FOR BUSINESS SHORTLY. THIS AREA IS BASICALLY EXPLODING. WE'VE GOT SOME TREMENDOUS MIXED USE GOING ON AROUND US. WE'RE THAT ITEM NUMBER 1 RIGHT THERE IN THE CENTER OF THAT RIGHT TO THE EAST OF US IS A 63-ACRE MIXED USE INTENSE RETAIL DEVELOPMENT AS WELL AS OFFICES STRAIGHT TO THE WEST. THE PROJECTS TO THE WEST AND TO THE SOUTHWEST ARE BASICALLY ANCHORED BY SUPER TARGET AS WELL AS COSCO AND THEN OBVIOUSLY THE COUNCIL PASSED THE LAKELINE T.O.D. JUST RECENTLY AS WELL AS ANOTHER 100 ACRES SOUTHEAST OF THERE IS JUST A PHENOMENAL PROJECT THERE. BASICALLY WHAT WE ARE SEEING THIS PROJECT AS IS BASICALLY KIND OF THE POSTER CHILD FOR A PLAY PROJECT TO HAVE 100%, A GOOD MULTI-FAMILY PROJECT. REAL BRIEFLY, THE PROJECT HISTORY IS THAT IN GENERAL IT'S BEEN ZONED MULTI-FAMILY 6 FOR BASICALLY OVER A DECADE. AND IT WAS RECENTLY REZONED GR AND THEN WE ITTOOK IT TO GR-MU ABOUT THE EARLY PART OF THIS YEAR. THERE WAS A DETERMINATION OVER THE SUMMER MADE THAT COMMERCIAL DESIGN STANDARDS WOULD APPLY TO SINGLE USE MULTI-FAMILY ZONING PROJECTS THAT STILL HAPPEN TO BE ZONED COMMERCIAL. WHAT WE'RE DOING IS TAKING IT FROM THAT COMMERCIAL ZONING AND CHANGING THE ZONING TO MF-4 WHICH IS BASICALLY THE COMMENSURATE ZONING AS THE MULTI-FAMILY PROJECT IN GR-MU ZONING DISTRICT. AND I HAVE A CHART THAT SHOWS YOU THAT. OUR REQUEST WAS RECOMMENDED BOY STAFF AS MF4 FOR ALL THE REASONS THAT GREG SAID. IT'S BASICALLY THE RIGHT ZONING AT THE RIGHT TIME AND THE RIGHT PLACE WE THINK. ZONING AND PLATTING COMMISSION LAST MONTH

I THINK THE COMMISSION, YOU KNOW, FELT LIKE OUR ZONING REQUEST HAD A LOT OF MERIT. WE JUST BASICALLY HAD QUITE AN INVOLVED CONVERSATION AS TO WHETHER OR NOT THE MF-3 OR MF-4 DENSITY WAS MERITED. AT THE END OF THE DAY, WE BASICALLY AGREED TO ACCEPT THE RECOMMENDATION AS TO MF-3 DENSITY AND FELT WE SHOULD MAKE OUR CASE HERE AT THE COUNCIL. AGAIN, WE VIEW THIS AS BEING BASICALLY A TECHNICAL CORRECTION GOING FROM GR-MU. YOU CAN SEE THE MF-6 STANDARDS. THIS TRACT BASICALLY COULD DO 90 FEET, YOU KNOW, THERE FOR ABOUT A DECADE GR-MU. WE'RE TAKING IT BASICALLY FROM GR-MU TO THE EXACT SAME STANDARDS AND WE EXPECT RESPECTFULLY REQUEST THAT THEY LIFT THE DENSITY RESTRICTION OF MF-3 AND AGREE TO STAFF'S RECOMMENDATION OF MF-4 AND I'D BE HAPPY TO ANSWER ANY QUESTIONS.

MAYOR WYNN: THANK YOU, MR. HARTMAN. QUESTIONS OF MR. HARTMAN, OR OF STAFF, COUNCIL? COUNCIL MEMBER LEFFINGWELL.

LEFFINGWELL: HAVE YOU DISCUSSED A GREEN BUILDING STANDARD ON THIS PROJECT?

WE HAVE STARTED JUST NOW STARTED LOOKING AT THAT, COUNCIL MEMBER. IT'S KIND OF IN THE EARLY PLANNING STAGES RIGHT NOW. WE'RE KIND OF AT THE LAND USE STAGE. WE'RE NOT TOO DEEP INTO THE GREEN BUILDING STANDARDS BUT IT'S SOMETHING THEY WOULD BE WILLING TO LOOK AT.

LEFFINGWELL: WOULD BE WILLING TO LOOK AT BEFORE SUBSEQUENT READINGS OF THIS?

I'D BE RETICENT -- DID YOU SAY 4 STAR?

LEFFINGWELL: I DIDN'T SAY 4 FOUR. I SAID WOULD YOU WILL BE WILLING TO LOOK AT IT BEFORE SUBSEQUENT READINGS?

YOU BET. WE'D BE HAPPY TO DO SO.

MAYOR WYNN: QUESTIONS, COMMENTS? SO YOUR STAFF

WAS ONLY READY FOR FIRST READING ONLY? IS THAT THE IMPLICATION?

THAT'S CORRECT, MAYOR AND COUNCIL. WE'RE ONLY READY FOR FIRST READING OF THIS ITEM THIS EVENING.

MAYOR WYNN: AGAIN, FURTHER COMMENTS OR QUESTIONS? OR MOTIONS? COUNCIL MEMBER LEFFINGWELL.

LEFFINGWELL: I MOVE APPROVAL OF THE STAFF RECOMMENDATION.

MAYOR WYNN: MOTION BY COUNCIL MEMBER LEFFINGWELL, SECONDED BY MARTINEZ TO CLOSE THE PUBLIC HEARING AND APPROVE STAFF RECOMMENDATION FIRST READING ONLY WITH FURTHER DIRECTION AND ENCOURAGEMENT OF THE APPLICANT. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR, PLEASE SAY AYE. [VOTING] OPPOSED. MOTION PASSES ON A VOTE OF 6-0 WITH COUNCIL MEMBER McCRACKEN OFF THE DAIS.

THAT CONCLUDES THE ZONING ITEMS FOR THE YEAR 2007. CONGRATULATIO CONGRATULATIO CONGRATULATIO CONGRATULATIO NS. I WONDER HOW MANY TRACTS OF LANDS WE REZONED.

WHEN WE COME BACK NE TIME --

MAYOR WYNN: IF YOU KNEW THAT -- OK. COUNCIL, THAT TAKES US TO OUR PUBLIC HEARINGS TO CONDUCT THIS EVENING. I THINK WE HAVE SEVERAL WITH NO CITIZENS TO ADDRESS US AND MAYBE JUST A COUPLE OR THREE. WE'VE ALREADY ACCOMPLISHED PUBLIC HEARING NUMBER 124. SO WE'LL QUICKLY GO TO ITEM 125. CONDUCT A PUBLIC HEARING TO APPROVE AN ORDINANCE REGARDING OUR ELECTRIC RATE SCHEDULE GREENCHOICE ENERGY RIDER. WELCOME A BRIEF PRESENTATION, I TRUST, FROM AUSTIN ENERGY STAFF.

GOOD EVENING, MAYOR, COUNCIL MEMBERS. MY NAME IS KERRY OVERTON WITH AUSTIN ENERGY. THIS IS A RECOMMENDATION FOR APPROVAL OF OUR RENEWABLE

ENERGY ASSOCIATED WITH OUR GREENCHOICE PROGRAM BATCH 5, ADOPTION OF THIS -- YOUR APPROVAL OF THIS RECOMMENDATION WILL ALLOW US TO BRING ENERGY TO OUR CUSTOMERS AS EARLY AS JANUARY.

MAYOR WYNN: THANK YOU, MR. OVERTON. QUESTIONS OF STAFF, COUNCIL? COMMENTS? WE HAVE NO CITIZENS SIGNED UP ON THIS PUBLIC HEARING ITEM 125 REGARDING THE ELECTRIC RATE SCHEDULE FOR GREENCHOICE BATCH 5. SEEING NONE AND HEARING NONE, I'LL ENTERTAIN THE MOTION TO CLOSE THIS PUBLIC HEARING. MOTION BY MAYOR PRO TEM, SECONDED BY COUNCIL MEMBER LEFFINGWELL TO CLOSE THE PUBLIC HEARING AND APPROVE THIS ORDINANCE NUMBER 125 AS PRESENTED BY STAFF. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED. [VOTING] VOTE IS 6-0 WITH COUNCIL MEMBER McCRACKEN OFF THE DAIS. COUNCIL, THIS TAKES US TO ITEM 126, A PUBLIC HEARING TO CONSIDER AN APPEAL BY CITIZEN REGARDING -- OF A DECISION BY THE RESIDENTIAL DESIGN AND COMPATIBILITY COMMISSION. WELCOME A BRIEF STAFF PRESENTATION. WE HAVE NO MORE FOLKS HERE SIGNED UP TO SPEAK.

GOOD EVENING, MAYOR AND COUNCIL. MY NAME IS JESSICA KINGCHAD. 126 IS BROUGHT FORWARD BY STEVEN NACAMULI TO WAVE SUB CHAPTER F STANDARDS FOR THE DEVELOPMENT OF A SINGLE-FAMILY HOME. A QUICK BACKGROUND, THE APPLICANT FILED AND RECEIVED A DEMOLITION PERMIT FOR THE STRUCTURE AT 2100 HOPI TRAIL. IT STRADDLED LOTS THAT WERE BOTH OWNED BY THE APPLICANT. ON AUGUST 15th, 2007, THE CITY ISSUED AN APPLICATION FOR NEW CONSTRUCTION OF A SINGLE-FAMILY HOME, ONLY ON 2006 HOPI TRAIL. THE APPLICANT REQUESTED AND FAR OF 0.49 EQUIVALENT 0.49. AS YOU KNOW, SUB CHAPTER F REQUIRES THE GREATER OF 0.4 FAR OR 2400 SQUARE FEET AS WELL AS AN ARTICULATION WHEN THE WALL REACHES 32 FEET IN LENGTH BY 15 FEET IN HEIGHT. ON SEPTEMBER 5th, RDCC LISTENED TO A WAIVER REQUEST FROM THE APPLICANT AND THE APPLICANT REQUESTED AN INCREASE IN FAR BY 25% WHICH IS 605 SQUARE FEET OR 0.5 FAR, AN INCREASE IN LENGTH OF THE SIDE WALL FROM 32 FEET TO 61 FEET BEFORE AN ARTICULATION WAS ACTUALLY REQUIRED. BASED ON THIS

INFORMATION, THAT WAS PROVIDED, THE RDCC DECIDED TO POSTPONE THE HEARING AND REQUESTED THE FAR PROPERTIES WITHIN 300 FEET OF THE SUBJECT PROPERTY. OCTOBER 3rd, THEY HEARD ADDITIONAL INFORMATION. IT INCLUDED WAS SIGNED BY 16 AREA PROPERTY OWNERS AND THE PRESENTATION BY THE WEST AUSTIN NEIGHBORHOOD GROUP AND ANALYSIS. IT PROVIDED PHOTOS OF EIGHT AREA PROPERTIES AND COMPARED THAT FOOTAGE TO THE AREA PROPERTIES. BASED ON THE INFORMATION PROVIDED AT THAT HEARING, THE RDCC DENIED THE REQUEST ON A 6-1 VOTE. ONE PERSON ABSTAINING. THE APPLICANT'S CLAIM IS THAT THE COMMISSIONERS STATED THE PLANS MET THE REQUIREMENTS OF SUB CHAPTER F. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS] WE ARE AVAILABLE FOR ANY QUESTIONS. WE ALSO HAVE A FEW COMMISSIONERS HERE WHO ARE AVAILABLE TO ANSWER ANY QUESTIONS YOU MAY HAVE ABOUT THE HEARING.

Mayor Wynn: THANK YOU. BEFORE YOU GET AWAY, JUST TO MAKE SURE I UNDERSTAND CORRECTLY, -- I SHOULD ASK SOME OF THEM, BUT YOUR PRESENTATION HERE SAYS THE COMMISSIONERS STATED THAT THE PLANS MET THE REQUIREMENTS, COMPLIED WITH NEIGHBORHOOD GUIDELINES CONSISTENT WITH STREETSCAPE, CONSISTENT WITH SCALING, CONSIDERATE OF PRIVACY OF NEIGHBORS. DID NOT STATE ANY OBJECTION TO THE HOUSE PLAN, BUT THEY ALSO VOTED TO DENY THE VARIANCE, CORRECT?

CLARIFICATION. THAT IS ACTUALLY THE APPELLANT'S CLAIM. SO THERE WERE SOME COMMISSIONERS WHO -- IT WAS A 6-2 VOTE SO MY EXPECTATION IS THAT THE TWO WERE THOSE WHO STATED THAT THERE WERE NO OBJECTIONS TO THE PLANS.

Mayor Wynn: FAIR ENOUGH. FURTHER QUESTIONS OF STAFF, COUNCIL? WE DO HAVE A HANDFUL OF FOLKS WHO WOULD LIKE TO ADDRESS THIS FOR AND AGAINST. AND I DON'T BELIEVE -- I DON'T BELIEVE CODE DICTATES HOW WE ACTUALLY -- OR DOES IT? TOM, DO YOU THINK CODE -- MY INSTINCT IS I'M PRETTY SAFE IF I JUST FOLLOWED OUR TYPICAL PUBLIC HEARING PROCESS.

THERE'S A PRESENTATION BY APPELLANT.

Mayor Wynn: OKAY, GOOD. SO BE IT. SO OUR APPELLANT WILL HAVE A 5-MINUTE PRESENTATION. THEN WE'LL HEAR FROM FOLKS IN SUPPORT OF THAT APPEAL. THEN WE'LL HEAR FROM FOLKS IN OPPOSITION OF THE APPEAL, ALL AT THREE MINUTES EACH AND THEN APPELLANT HAS THE REBUTTAL. EVEN THOUGH FOLKS WANT TO DONATE TIME, MY SUGGESTION IS IF THEY WOULD LIKE TO, LORRAINE AND ROBERT ARE WELCOME TO GIVE POSITIVE TESTIMONY FOLLOWING YOUR PRESENTATION. SO WELCOME.

THANK YOU. I'M STEVE NACAMULI. I OWN THE PROPERTY WITH MY FEE AND YOU SAY AND BASICALLY WE'RE -- FIANCE AND BASICALLY WE'RE REQUESTING THE HOUSE ON A LOT THAT IS 6,056 SQUARE FEET. WE REQUESTED THE ADDITIONAL SQUARE FOOTAGE AS ALLOWED FOR IN THE SUBCHAPTER F OF THE RESIDENTIAL AND DESIGN AND COMPATIBILITY STANDARDS. AND THE TOTAL NET INCREASE THAT WE'RE ACTUALLY ASKING FOR IS 529 SQUARE FEET. THIS ADDITIONAL LIVING AREA IS BASICALLY GOING TO BE AN OFFICE, A BATHROOM AND A SMALL LIVING ROOM TYPE OF AREA. CONSIDERING THE FACT THAT BOTH ME AND MARIE WORK FROM HOME, THIS IS SOMETHING THAT WE'RE GOING TO REQUIRE IN A HOUSE WITH FAMILY. WE'VE INVESTED A SIGNIFICANT AMOUNT OF TIME AND EFFORT WITH OUR ARCHITECT TO CREATE A PLAN WHICH MET THE INTENT IN THE ORDINANCE AND I'M SURE YOU ALL KNOW WHAT THE INTENT READS SO I'M NOT GOING TO REREAD IT. AS FAR AS THE RDCC MEETING, OUR PLAN WAS GIVEN POSITIVE RESPONSE BY SEVERAL MEMBERS AND TWO OF THE MEMBERS ACTUALLY VOTED AGAINST IT. HEIDI GOLDWELL, IMPRESSED BY THE DISCIPLINE IT TOOK DURING THE DESIGN PROCESS TO GO WITH A CAR GARAGE RATHER THAN EAT UP THE SQUARE FOOTAGE. THAT WAS ONE COMMENT. ANOTHER COMMENT FROM HEIDI, NOT CONSISTENT WITH THE STYLE OR THE PRIVACY TO THE NEIGHBOR BEHIND. CRAIG CRAIGER WHO VOTED FOR IN FAVOR, THOUGHT THE LAYOUT OF THE BUILDING TOOK CONSIDERATION OF EXISTING TREES. EXTERIOR COMPOSITION OF THE FENESTRATION TAKES CONSIDERATION OF THE NEIGHBORS AND PRIVACY ISSUES. FIVE DOESN'T SEEM PROPORTIONATELY OUT OF WHACK.

AND THE THIRD, NO OBJECTION TO SIDE WALL
ARTICULATION. AGREES THAT A 2949 SQUARE FOOT HOUSE
IS NOT A PROBLEM. AND BILL ALSO WAS ONE THAT OPPOSED
THE VOTE. KATHY MCGRAW REQUESTED P AT THE FIRST
MEETING AND -- P AT THE FIRST MEETING AND WE COMPLIED
BECAUSE SHE REQUESTED THAT WE GET [INAUDIBLE] OF
THE AREA THAT WERE REPRESENTATIVE OF WHAT THE
F.A.R. OF OUR HOUSE WOULD BE. AND WE'VE DONE THAT
AND I'VE GOT A LIST OF SIX OR SEVEN AND YOU SHOULD
HAVE THOSE, THEY ARE IN THE PREVIOUS PACKETS. 3201
MEREDITH, .55. 2205 HOPI TRAIL, 49. 2005 MOUNTAIN VIEW, .6.
2001 MOSTLY SUNNY VIEW .47. 1905 MOUNTAIN VIEW .46. SO
ALL OF THESE ARE WITHIN RELATIVELY CLOSE DISTANCE OF
THE PROPERTY. I'VE ALSO HAD THE F.A.R. CALCULATIONS
THAT WE USED TO ARRIVE AT THESE NUMBERS. NOW, TO ME
THIS F.A.R. OF THE SURROUNDING PRIVACY [INAUDIBLE]
MEETS THE INTENT OF THE ORDINANCE BY MEETING --
COMPATIBLE IN SIZE AND SCALE TO EXISTING
NEIGHBORHOODS. TO FURTHER SUPPORT OUR POSITION,
THE HOUSES ADJACENT TO THE HOUSE WE'RE GOING TO
BUILD ARE 3591 SQUARE FEET AND 3686 SQUARE FEET. NOW
-- NOW, AS FAR AS THE OPPOSITION, I'VE GONE THROUGH
AND I'VE READ THE OPPOSITION OF MANY OF THE
NEIGHBORS IN THE COMPLAINTS. I'VE READ EVERY ONE OF
THEM. I'VE READ THE PETITIONS, AND I WOULD JUST LIKE TO
GO THROUGH A FEW OF THE COMPLAINTS BECAUSE A LOT
OF THESE COMPLAINTS HAVE NO MERIT WHEN MEASURED
AGAINST THE ORDINANCE. FOR EXAMPLE, MRS. SHIRLEY
AND ERNEST DEAN, THERE IS ADEQUATE AND EVEN
GENEROUS [INAUDIBLE] IN PLACE THAT WERE ESTABLISHED
IN DUE PROCESS BY A LEGALLY CONSTITUTED BODY. I
AGREE WITH THEM. THERE ARE REGULATIONS IN PLACE AND
THE REGULATIONS ALLOW FOR A 25% REQUEST IN
ADDITIONAL SQUARE FOOTAGE. THAT'S WHY I'M
REQUESTING IT. ADDITIONALLY, THERE'S NO NEED FOR
WAIVER. HE HAS A DOUBLE WIDE, BUT HE DESIGNED A
HOUSE THAT WILL BE PLACED ON ONLY HALF OF THE SPACE
HE OWNS. THEREBY BREAKING ESTABLISHED GUIDELINES
FOR GIVEN SPACE. WELL, THIS, TO MAKE IT CLEAR, THIS
REQUEST IS FOR A SINGLE HOUSE ON A SINGLE LOT. THE
FACT THAT WE OWN THE OTHER LOT IS IMMATERIAL AND
WE'RE NOT BREAKING ANY ESTABLISHED GUIDELINES. THE

DESIGN OF THE HOUSE IS SUCH THAT IT ENCROACH OWES HOUSES NORTH AND WEST OF THE NACAMULI LOT. THAT HOUSE -- SETBACKS SPECIFIED IN CITY ORDINANCE SO THEREFORE IT'S NOT ENCROACHING ON ANY PROPERTY, AS SHE CLAIMS. [BUZZER SOUNDING]

Mayor Wynn: WHY DON'T YOU TAKE A FEW SECONDS AND CONCLUDE YOUR COMMENTS. YOU WILL HAVE A REBUTTAL AFTER YOU HEAR --

DO I GET THEIR MINUTES?

Mayor Wynn: WE WOULD LIKE TO FOLLOW OUR CODE AND JUST KNOW YOU WILL HAVE A THREE-MINUTE REBUTTAL AFTER WE HEAR EVERYBODY IN OPPOSITION.

I WAS EXPECTING TO GET THEIR MINUTES BECAUSE I DIDN'T FINISH MY PRESENTATION.

Mayor Wynn: WELL, YOU WILL HAVE THREE MINUTES HERE AT THE END. HOW MUCH LONGER DO YOU THINK YOU HAVE?

I HAVE PROBABLY THREE MINUTES. I WAS TOLD THAT I COULD GET THREE MINUTES AND SIGN UP AND I WAS EXPECTING TO GET EIGHT MINUTES.

Mayor Wynn: THAT'S NORMALLY NOT HOW OUR PRESENTATION FROM APPLICANT OR APPELLANT WORKS. IF YOU WERE JUST GIVING TESTIMONY, WE COULD DO THAT. COUNCIL, PERHAPS WITHOUT -- WE HAVE A VERY -- WHY DON'T YOU LET ME FINISH MY SENTENCE, PLEASE.

OKAY. YES, SIR.

Mayor Wynn: COUNCIL, WITHOUT OBJECTION, LORRAINE NACAMULI HAS ALSO SIGNED UP AND IF SHE WOULD WAIVE HER THREE MINUTES, WITHOUT OBJECTION WE COULD GRANT STEVEN THREE MORE MINUTES TO FINISH HIS PRESENTATION. NO OBJECTION HEARD. WELCOME.

THANK YOU. I'LL SKIP TO THE SUMMARY. SO BASICALLY -- IN SUMMARY OF THE OPPOSITION ARGUMENTS, MANY OF THE ARGUMENTS WERE -- HAD THE ASSERTION THAT THIS

REQUEST IS OUTSIDE THE BOUNDS OF ORDINANCE WHICH IT IS NOT, IT IS COMPLETELY WITHIN THE BOUNDS OF THE ORDINANCE. OTHER COMPLAINTS, THEY DIDN'T LIKE THE STYLE OF THIS HOUSE TO BE CONSIDERED A MODERN STYLE HOUSE, SO TO SPEAK, SORT OF LIKE CITY HALL. OTHER PEOPLE COMPLAIN THAT I WAS BUILDING A TWO-STORY HOUSE AND THAT I WOULD BE ABLE TO LOOK INTO THEIR BACKYARDS. AND THE PERSON THAT COMPLAINED ABOUT THIS HAPPENS TO ALSO HAVE A TWO-STORY HOUSE. SO IN SUMMARY, BEFORE THE ORDINANCE TOOK EFFECT, YOU COULD BUILD ON A 6,000 SQUARE FOOT LOT A HOUSE IN EXCESS OF 60% F.A.R. I HAVE THREE INSTANCES. 3302 GILBERT IS 65 "-HAS A F.A.R. OF 63%. 3712 STEVENSON HAS A F.A.R. 68%. AND 3714 STEVENSON HAS A F.A.R. OF 71%. IF YOU LOOK AT THOSE NUMBERS AND COMPARE THAT TO WHAT I'M TRYING TO BUILD, THESE HOUSES ARE ON 6500 SQUARE FOOT LOTS AND THEY ARE 4600 SQUARE FEET. IF I TAKE THAT AND PARSE IT DOWN TO A 6,000 SQUARE FOOT LOT, OUR HOUSE WOULD BE 22% SMALLER THAN ANY OF THE F.A.R. F.A.R.'S OF THESE HOUSES THAT WOULD BE ABLE TO BUILT BEFORE THE ORDINANCE TOOK PLACE. ADDITIONALLY, OUR PLAN MEETS ALL THE REQUIREMENTS OF THE SETBACK RULE AND ALSO MEETS THE HEIGHT REQUIREMENTS AS DICTATED BY THE ORDINANCE. YOU KNOW, IT IS CLEAR THAT -- BECAUSE OF THIS, IT'S CLEAR THE ORDINANCE HAS HAD AN EFFECT ON THE SIZE OF THE HOUSE PLAN AS I'VE JUST ESTABLISHED. OPPONENTS WOULD LIKE YOU TO BELIEVE THAT WE'RE REQUESTING A VARIANCE TO BUILD A HOUSE TO PRE-ORDINANCE REGULATIONS. THAT IS NOT THE CASE. THIS PLAN IS WELL CONCEIVED AND WELL RECEIVED AS SOME OF THE MEMBERS OF THE RDCC BOARD. IT MEETS THE INTENT OF THE ORDINANCE. IT IS CLEAR THE ORDINANCE WORKS TO REDUCE THE SIZE OF HOUSES WITHIN THE OLDER AUSTIN NEIGHBORHOODS. I'M ASKING CITY COUNCIL TO APPROVE MY VARIANCE REQUEST BASED TO MERITS OF THE PLAN WITHIN THE CONTEXT OF THE ORDINANCE. THANK YOU.

Mayor Wynn: THANK YOU, STEVEN. I'LL ALSO NOTE THAT LORRAINE IS HERE IN SUPPORT. TECHNICALLY ROBERT KOVAKS YOUR MINUTES WERE USED BY STEVEN SO YOU ARE WELCOME TO GIVE TESTIMONY IF YOU WOULD LIKE.

WE'LL NOTE, FOR THE RECORD, YOUR SUPPORT OF THE APPEAL AND THEN ALSO NOTE STEVEN WILL HAVE A THREE-MINUTE REBUTTAL FOLLOWING OPPOSITION. QUESTIONS FOR APPLICANT? COUNCILMEMBER KIM.

Kim: MR. NACAMULI --

YES.

Kim: SINCE YOU OWN TWO LOTS AND YOU ARE SAYING THAT YOU WANT TO HAVE TWO HOME OFFICES AS WELL AS AN ADDITIONAL BEDROOM AND BATH FOR YOUR PARENTS, HAVE YOU THOUGHT ABOUT RESUBDIVIDING TO JOIN THE TWO LOTS TO BE ABLE TO STAY WITHIN THE McMANSION ORDINANCE AND DEVELOP THE SIZE OF THE UNIT THAT YOU WANT TO BUILD?

WELL, WE CONSIDERED BUILDING A HOUSE ON THE TWO LOTS, BUT QUITE FRANKLY, TO BUILD A HOUSE ON THE TWO LOTS WOULD MEAN THAT WE WOULD HAVE TO, YOU KNOW, BUILD A HOUSE OF APPROXIMATELY 5,000 SQUARE FEET, WHICH NEITHER ME NOR NORMAN OR MARIE -- I THINK WHAT WE'RE TRYING TO DO IS BUILD A HOUSE THAT WE CAN ACTUALLY AFFORD THAT'S REASONABLY PRICED THAT'S BIG ENOUGH FOR US AND NOT BUILD A HOUSE THAT'S EXTREMELY LARGE THAT WE'RE NOT GOING TO BE ABLE TO USEFULLY. AND THE 2949 SQUARE FOOT HOUSE IS SOMETHING THAT WE CAN USE. IT'S THE SIZE WE NEED. AND IF I WAS TO DEVELOP THE WHOLE LOT IN A SINGLE HOUSE ON THE WHOLE LOT, IT WOULDN'T BE FINANCIALLY RESPONSIBLE TO DEVELOP A 2900 SQUARE FOOT HOUSE ON THAT SIZE LOT. I WOULD HAVE TO MAXIMIZE THE SQUARE FOOTAGE AND IT WOULD COME OUT TO SOMEWHERE AROUND 4900 SQUARE FEET. I DON'T KNOW THE EXACT NUMBER, BUT THAT WOULD BE THE SIZE IT COULD BE WITHOUT HAVING TO GET ANY REQUESTS OR ANY CHANGE TO THE CURRENT ORDINANCE.

Kim: BUT IF YOU HAD THE TWO LOTS JOINED AS ONE LOT, THERE'S NO REQUIREMENT THAT YOU HAVE TO BUILD OUT TO THE MAXIMUM OF NEARLY 5,000 SQUARE FEET IF YOU ARE SIMPLY TRYING TO MEET THE NEEDS OF YOUR

PARENTS AND HAVE TWO HOME OFFICES.

I GUESS WHAT I'M TRYING TO SAY IF I BUILT A 3,000 SQUARE FOOT HOUSE, I REALLY DOUBT I COULD GET A LOAN FROM A BANK TO BUILD A 3,000 SQUARE FOOT HOUSE ON A HALF A MILLION DOLLARS PLUS LOT IS ALL I'M SAYING. SO THEY WOULD REQUEST THAT I BUILD A HOUSE OF SUBSTANTIALLY LARGER SIZE TO MAKE THE HOUSE VALUE BE AT LEAST AS MUCH OR MORE THAN WHAT THE PROPERTY VALUE IS.

Kim: INTERESTING. OKAY. THANK YOU.

Mayor Wynn: FURTHER QUESTIONS OF OUR APPELLANT? COUNCILMEMBER LEFFINGWELL.

Leffingwell: HOW LONG HAVE YOU OWNED THE PROPERTY?

WE'VE OWNED IT SINCE NOVEMBER OF 2006. AND WE DONATED THE PROPERTY --

Leffingwell: SO YOU APPLIED FOR THE DEMOLITION PERMIT ON THE EXISTING HOUSE?

EXCUSE ME? I DIDN'T UNDERSTAND THE QUESTION.

Leffingwell: THE DEMOLITION PERMIT.

YES, I OBTAINED THE PERMIT.

Leffingwell: AND THE EXISTING HOUSE STRADDLED BOTH LOTS?

YES, IT DID.

Leffingwell: OKAY.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? IF NOT, THANK YOU, STEVEN. NOTE YOU'LL BE WELCOME BACK HERE IN A FEW MINUTES. WE NOW GO TO FOLKS WHO ARE IN OPPOSITION OF THE APPEAL. AND THEY TOO -- WE'LL TAKE THESE IN ORDER, THREE MINUTES AT A TIME. OUR FIRST SPEAKER THE BLAKER AND YOU WILL BE FOLLOWED

BY PATRICK GOOD.

GOOD EVENING, MR. MAYOR AND MEMBERS OF THE COUNCIL. MY NAME IS BLACK TOWLETT, HERE REPRESENTING WEST AUSTIN NEIGHBORHOOD GROUP. WE'RE ASKING YOU TO UPHOLD THE DECISION OF THE CITY'S RESIDENTIAL DESIGN COMPATIBILITY COMMISSION AND TO DENY THE APPLICATION FOR MULTIPLICATION. WE SUPPORT THE 6-2 VOTE. I'M GOING TO -- PATRICK WILL FOLLOW ME. HE'S GOING TO SPEAK TO THE F.A.R.s IN THE NEIGHBORHOOD. HE LIVES ON THE CORNER. HE'S GOING TO SPEAK TO THE F.A.R. AND THE PEOPLE THAT -- IN OPPOSITION. IT'S A NEAR UNANIMOUS OPPOSITION. I THINK THERE'S ONE PROPERTY OWNER THAT HAS SUPPORTED THIS. IT CAN BE FAIRLY SAID THAT THE NEXUS OF THE McMANSION ORDINANCE IS THE OLDER INNER CITY NEIGHBORHOODS AND, OF COURSE, TERRY TOWN IS ONE OF THEM. EARLY IN THE PROCESS WE SURVEYED OUR ENTIRE NEIGHBORHOOD AND ASKED THEM -- THE KIND OF PROBLEMS THAT THEY WOULD LIKE TO SEE ADDRESSED. AND THEY SUPPORTED THE McMANSION -- WE SUPPORTED VERY STRONGLY ON THAT SIDE. WE SUPPORTED IT. WE SUPPORT THREE-FOURTHS OF OUR RESPONDENTS CAME BACK SUPPORTING THE McMANSION ORDINANCE, THE CONTINUED ENFORCEMENT OF IT. JUST TO SPEAK TO A COUPLE OF THINGS THE APPLICANT HAS TALKED ABOUT, THE RDCC MAY APPROVE, IT DOESN'T SAY THEY HAVE TO APPROVE, IT SAYS THEY MAY APPROVE. WE OBVIOUSLY DISAGREE WITH THE APPLICANT THAT THESE OVERSIZED HOUSES ARE GOING TO BE IN FITTING -- FIT IN WITH THE NEIGHBORHOOD. AS YOU ALL KNOW, THEY HAVE TWO LOTS WITH ONE HOUSE ON IT. THEY TOOK THE HOUSE DOWN. THEY HAVE TWO LOTS. THEY HAVE A CHOICE. THEY CAN BUILD TWO MODEST 2400 SQUARE FOOT -- IT'S NOT THAT MODEST OR BUILD ONE 5,000 SQUARE FOOT, 4800 SQUARE FOOT HOUSE. THEY HAVE THE CHOICE. AGAIN, THEY HAVE A CHOICE. WE'RE ASKING THAT THEY JUST ON ABIDE BY THE SAME RULES EVERYBODY ELSE IS. I NEVER REALLY SAW -- WE NEVER REALLY SAW ANY COMPELLING REASON. THE NEIGHBORHOOD ASSOCIATION, WE LOOK REAL STRINGENTLY AT INCREASES IN F.A.R. WE'VE ONLY -- TO BE OWNES ON A NEW CONSTRUCTION, WE'VE ONLY

SUPPORTED ONE OR NOT OPPOSED ONE AND IT WAS WHERE THERE WAS A MISTAKE ON THE BRICK LEDGE AND IT WAS A COUPLE OF INCHES ALL THE WAY AROUND THE HOUSE. BUT WE HAVE SUPPORTED NEIGHBORS WHEN THEY ARE DOING, LIKE, REMODELS FOR SIDE WALL ARTICULATION. WE'VE TRIED TO WORK THE NEIGHBORS, TRIED TO WORK WITH THE RDCC. WE UNDERSTAND SOME CONSTRAINTS ESPECIALLY IF THERE IS A PRIOR STRUCTURE. THESE ARE CLEAN LOTS. [BUZZER SOUNDING] BUT ANYWAY, MR. GOOD IS GOING TO TALK TO YOU.

Mayor Wynn: THANK YOU. WELL, MR. GOOD. IS ROSS PLUMBER HERE? WELCOME, ROSS. YOU HAVE UP TO SIX MINUTES.

PATRICK GOOD. I LIVE AT THE PROPERTY THAT ABUTS TO THE BACK OF HIS LOT WHICH IS THE SIDE OF MY PROPERTY. BASICALLY I'M HERE REPRESENTING THE NEIGHBORS. FOR THE MOST PART WE ARE IN OPPOSITION AGAINST THIS VARIANCE REQUEST. THIRD SLIDE. AFTER RDCC'S REQUEST, WE DID LOOK AT ALL THE PROPERTIES WITHIN 300 SQUARE FOOT RADIUS, SIR AND THAT BASICALLY IS 34 PROPERTIES. OF THOSE THERE ARE 17 PROPERTIES THAT ACTUALLY ARE 3,000 SQUARE FEET OR LARGER. HOWEVER, THERE ARE ON A MUCH LARGER LOT AND THEY ARE F.A.R.s ARE SUBSTANTIALLY LESS. IN FACT, OF THE 34 PROPERTIES WE LOOKED AT, 32 ARE AT 40% OR LESS IN THIS 300 SCOOT - - I'M SORRY, 300-FOOT RADIUS OF THE PROPERTY. AND BOTH OF THOSE ARE CONSTRUCTIONS IN THE LAST FIVE YEARS. AS FAR AS WHY WE ARE OPPOSED TO THIS, ONE, WE DON'T SEE A HARDSHIP. THIS IS A NEW CONSTRUCTION. THEY DO HAVE TWO LOTS THERE. THEY DID STATE IN THE SECOND MEETING THAT THE WHOLE REASON FOR THE VARIANCE REQUEST IS THEY ULTIMATELY IN TWO OR THREE YEARS PROBABLY ARE GOING TO BUILD ON THAT SECOND LOT. BY SETTING -- OR ESTABLISHING THIS VARIANCE REQUEST, BASICALLY YOU ARE SETTING A PRECEDENT THAT THEY CAN COME IN AND BUILD -- OR ASK THE SAME VARIANCE AND SAY, WELL, THIS HOUSE HAS IT. SO THEY END UP WITH A 6,000 SQUARE FOOT CONSTRUCTION ON THIS BASICALLY 12,000 SQUARE FOOT LOT. ALSO WE DON'T BELIEVE THAT IT IS CONSISTENT WITH THE AREA BECAUSE WE DO HAVE YARDS. WE HAVE SIDE YARDS. THERE IS

SEPARATION. WE'RE NOT TRYING TO FILL UP THE WHOLE LOT WITH A HOUSE. IN SUMMARY, THERE ARE 15 PROPERTY OWNERS OR 15 PROPERTIES THAT HAVE FILED OPPOSITION TO THIS VARIANCE. EITHER THROUGH A PETITION, WRITING LETTERS, ATTENDING MEETINGS, ET CETERA. WE REALLY DO NOT SEE A HARDSHIP. IT'S NOT AN EXISTING HOUSE THEY'VE LIVED IN FOR 10 YEARS. THEY ALSO MAY NEED LIVE-IN HELP AND NEED AN EXTRA ROOM. IT'S PURELY A NEW CONSTRUCTION. THEY ARE DOING THIS, AS HE SPOKE EARLIER, FROM A FINANCIAL PERSPECTIVE. IT IS INCONSISTENT WITH THE NEIGHBORHOOD BASED ON LOOKING AT NEIGHBORING F.A.R.s AND I DO BELIEVE IT WOULD SET A PRECEDENT THAT WOULD ALLOW THE EQUIVALENT 6,000 SQUARE FEET TO BE BUILT ON THESE TWO LOTS COMBINED. AS APPENDIX A TO THIS -- GO TO NEXT SLIDE -- THESE ARE ALL THE PROPERTIES WE LOOKED AT. WHAT I TRIED TO DO WAS SHOW WHICH ONES ARE AT THE 40% OR HIGHER. THE DETAIL HOW WE DID THE CALCULATION. THOSE PROPERTIES HIGHLIGHTED IN YELLOW ARE AT THE 3,000 OR 2900 SQUARE FOOT OR MORE IN THIS LIVABLE AREA, GROUND AREA RATIO USE FOR THE F.A.R. BUT BASICALLY -- SO THERE ARE SIZABLE HOUSES THERE AT THE END OF THE DAY, BUT THEY ARE ALSO ON SIZABLE LOTS. AND WITH THAT, I BELIEVE I'M DONE. I'LL ANSWER ANY QUESTIONS.

Mayor Wynn: QUESTIONS FOR PATRICK, COUNCIL? COMMENTS? THANK YOU. COUNCIL, WE'LL NOTE JEAN STEVENS SIGNED UP NOT WISH TO GO SPEAK ALSO IN OPPOSITION AND KAREN MCGRAW AND WILLIAM BURKHART I THINK ARE COMMISSIONERS, RIGHT? CORRECT? ARE HERE TO ANSWER QUESTIONS, BOTH TWO MEMBERS OF OUR RDCC. SO SF IF THERE'S NO QUESTIONS FOR EITHER OF THE TWO COMMISSIONERS, WE WOULD GO TO REBUTTAL BY MR. NACAMULI. WELCOME BACK. YOU WILL HAVE A THREE-MINUTE REBUTTAL.

THANK YOU. YOU KNOW, WE ALSO HAD F.A.R.s THAT SHOW THAT THIS HOUSE WAS WITHIN THE F.A.R.s. I STAND BY THE NUMBERS WE CALCULATED. APPARENTLY I THINK MR. STEVE CONVENIENCE POSSIBLY HAD DIFFERENT NUMBERS FOR THE SAME HOUSES. IF THERE'S SOME KIND OF PROBLEM WITH HOW THEY ARE BEING CALCULATED, I WOULD

SUGGEST THAT WE GET SOME TYPE OF INDEPENDENT -- FROM THE TAX OFFICE TO GO CALCULATE THOSE F.A.R.s TO VALIDATE WHICH ONES ARE CORRECT. BUT AS FAR AS I'M CONCERNED, THE F.A.R.s IN THE AREA, OUR HOUSE DOES NOT EXCEED. IT FITS RIGHT IN WITH SOME OF THE HOUSES. I DO AGREE WITH MR. STEVE CONVENIENTS THAT THERE -- STEVENS THAT THERE ARE BIGGER HOUSES. AS FAR AS MR. TOWLETT, HE STATED EXPLICITLY A 2400 SQUARE FOOT HOUSE IS MODEST HOUSE. A 29002900 SQUARE FOOT HOUSE I DO NOT CONSIDER A McMANSION. I CONSIDER THAT AN AVERAGE SIZED HOUSE FOR AN AVERAGE SIZE FAMILY TO LIVE IN. I CONSIDER A 5,000 SQUARE FEET HOUSE THAT I COULD PUT ON THE TWO LOTS PROBABLY MORE OF A McMANSION THAN TWO SINGLE 29002900 SQUARE FOOT LOTS. THE SECOND THING I WOULD LIKE TO ADDRESS IS THE SECOND LOT ISSUE. I'M NOT ASKING TO BUILD ANOTHER HOUSE ON A 3,000 SQUARE FOOT LO. I'M ALSO NOT ASKING TO GO OUT OF WHAT THE ORDINANCE STATES I CAN REQUEST. IF I WAS REQUESTING 30%, 50% ADDITIONAL SQUARE FOOTAGE, I COULD UNDERSTAND BEING TURNED DOWN AND NOT GETTING IT. BUT WE'VE REQUESTED AN AMOUNT THAT ESSENTIALLY WILL NOT CHANGE THE FOOTPRINT OF THE HOUSE IF WE GET THE SQUARE FUTURE AGE. ALL THE SQUARE FOOTAGE IS ENLARGING THE SECOND STORY OF THE HOUSE. THE FIRST STORY WILL STAY AS IS AS WILL THE FRONT OF THE HOUSE. ADDITIONALLY WE'VE SACRIFICED A GARAGE IN ORDER TO MAXIMIZE THE SQUARE FOOTAGE THAT WE CAN GET IN THE HOUSE. BECAUSE IF WE HAD TWO GARAGES, WE WOULD HAVE LOST ANOTHER 100 SQUARE FEET IN THE HOUSE AND WE DECIDED IT WOULD BE BETTER TO FOREGO A TWO-CAR GARAGE AND JUST DO A ONE-CAR GARAGE AND ADD THAT EXTRA SQUARE FUTURE FOOTAGE IN THE HOUSE. I UNDERSTAND PEOPLE DON'T LIKE THE STYLE. THERE'S A LOT OF HOUSES I DON'T LIKE IN TARRYTOWN EITHER. THAT DOESN'T GIVE ME THE RIGHT TO COMPLAIN ABOUT IT OR TRY TO HOLD UP SOMEBODY ELSE'S RIGHT TO BUILD A HOUSE THEY WANT BECAUSE I DON'T LIKE THE STYLE OF IT. THANK YOU.

Mayor Wynn: THANK YOU, STEVEN. QUESTIONS OF OUR APPELLANT, COUNCIL? A COUPLE QUESTIONS FOR JESSICA,

PERHAPS, IF STAFF IS STILL HERE. JETIONJESSICA, REMIND ME -- SO WHAT WAS BEING REQUESTED GOT UP TO A 0.49 F.A.R. IS THE 2949 SQUARE FEET. WHAT IS OUR CURRENT ORDINANCE, HOW LARGE A HOUSE COULD BE BUILT UNDER THE F.A.R. OF OUR CURRENT ORDINANCE?

UNDER OUR CURRENT ORDINANCE, HE COULD HAVE -- AND I JUST LEFT MY NOTES. I'M SORRY. I'M SORRY ABOUT THAT. THE MAX HE COULD GO TO UNDER "-IF HE WERE IN COMPLIANCE WOULD BE 2420. AND RIGHT NOW HE'S PROPOSING 2949.

Mayor Wynn: IT SEEMS I'M TRYING TO REMEMBER ALL THIS. IT SEEMS TO ME WHEN WE FIRST PASSED THE McMANSION ORDINANCE, WE ALSO TALKED AND THOUGHT THROUGH -- HAD MUCH INPUT REGARDING WHAT WOULD BE A REASONABLE FLOOR, IF YOU WILL. THAT IS, THERE ARE MANY SMALL LOTS ALL OVER THE CITY AND WE DON'T WANT TO DISPROPORTIONATELY KEEP FROM SOMEBODY BUILDING A MODEST THREE-BEDROOM HOUSE THAT WOULD MORE LIKELY HOUSE A FAMILY. ONLY BECAUSE THEIR LOT WAS SO SMALL. SO IT SEEMED LIKE WITH ALL THE OTHER CON CONSTRAINTS WE PUT IN PLACE, WE ALSO PUT A MINIMUM. THAT IS, ON ANY LOT I GUESS THAT WAS LEGAL, YOU COULD BUILD UP TO -- I WANTED TO SAY IT WAS ABOUT 2300 SQUARE FEET.

THAT'S CORRECT. IT WAS THE GREATER OF .4 F.A.R. OR 2300 SQUARE FEET.

Mayor Wynn: THAT'S RIGHT. BECAUSE WE JUST -- YOU KNOW, AFTER INPUT AD NAUSEAM WE CAME UP WITH 2300 SQUARE FEET AS BEING A PRACTICAL SIZE EVEN IF IT'S AN AWFULLY SMALL LOT FOR FOLKS TO BE ABLE TO HAVE A REASONABLE HOME. HOPEFULLY WE ACTUALLY WERE TALKING ABOUT THIS IN THE CONTEXT OF FAMILIES THAT IF YOU GET TOO SMALL A HOUSE IT'S GOING TO BE SOME UNIQUE FLOOR PLAN, A SINGLE BEDROOM AND NOT LIKELY TO HOUSE FAMILIES. SO I NEED TO DO REMIND MYSELF OF THAT DYNAMIC BECAUSE OBVIOUSLY THIS LOT IS LARGE ENOUGH IT STILL GETS ADDITIONAL SQUARE FOOTAGE OVER WHAT WE CONSIDERED TO BE THE FLOOR FOR OUR ORDINANCE. THANK YOU. FURTHER QUESTIONS OF STAFF, COUNCIL? OR

ANYBODY ELSE FOR THAT MATTER? COMMENTS?
COUNCILMEMBER KIM.

Kim: I WOULD LIKE TO MOVE TO DENY THE REQUEST FOR
APPEAL.

Mayor Wynn: MOTION BY COUNCILMEMBER KIM TO CLOSE
THE PUBLIC HEARING AND DENY THE APPEAL, ITEM 126.
SECONDED BY COUNCILMEMBER COLE. FURTHER
COMMENTS? I'LL JUST SAY I EMPATHIZE WITH STEVEN AND
MARIE, BUT THE FACT OF THE MATTER IS THIS PROJECT DID
COME IN AFTER WE CHANGED RULES AND YOU DO HAVE TO
HAVE RULES AND YOU DO HAVE TO HAVE A DATE WITH
WHICH, YOU KNOW, NEW RULES TAKE EFFECT, AND THIS
WAS A VERY PUBLICLY VETTED, HIGH PROFILE, EVEN
CONTENTIOUS ISSUE. SO I THINK THE BUILDING DESIGN
NEIGHBORHOOD COMMUNITY AND THE LEGISLATURE --
WELL AWARE OF THE PRECISE PARAMETERS WE WERE
PUTTING ON BUILDINGS HERE IN THE CITY AND ULTIMATELY
WE FOUND A WAY TO LIVE WITH THOSE. SO I WILL BE
SUPPORTING THE MOTION TO DENY THE APPEAL. FURTHER
COMMENTS? MOTION AND SECOND ON THE TAIL. HEARING
NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSE ?D
MOTION TO DENY PASSES ON VOTE OF 6-0 WITH
COUNCILMEMBER McCRACKEN OFF THE DAIS. THAT TAKES
US TO OUR FINAL PUBLIC HEARING. THAT BEING NUMBER
127. I ALWAYS PUT MR. OZWALT LAST. REGARDING, I
SUSPECT, A FLOOD PLAIN APPEAL. WELCOME, GEORGE
OZWALT.

THANK YOU, MAYOR. MAYOR, MAYOR PRO TEM,
COUNCILMEMBERS, GEORGE OZWALT WATERSHED
PROTECTION. THE ACTION BEFORE YOU IS ITEM 127 IS TO
CONDUCT A PUBLIC HEARING AND CONSIDER ADOPTION OF
AN ORDINANCE GRANTING FLOOD PLAIN VARIANCES
REQUESTED BY MR. MATH McCORMACK ON BEHALF OF
JAMES AND ELIZABETH CHIPMAN TO ALLOW CONSTRUCTION
OF A SINGLE-FAMILY RESIDENCE AT 5607 JIM HOGG ACH
NEW IN THE 25-YEAR AND 100-YEAR FLOOD PLAIN OF THE
HANCOCK BRANCH OF SHOAL CREEK AND WAIVE THE
REQUIREMENT TO DEDICATE A DRAINAGE EASEMENT TO
THE FULL LIMIT OF THE 100 YEAR FLOOD PLAIN TO EXCLUDE
THE FOOTPRINT OF THE PROPOSED STRUCTURE. OKAY.

BASICALLY WHAT THE APPLICANT IS REQUESTING HERE IS TO DEMOLISH AN EXISTING 757 SQUARE FOOT HOUSE THAT HAS BEEN DECLARED UNINHABITABLE BECAUSE OF STRUCTURAL DEFICIENCIES AND TO REPLACE THAT WITH A NEW 1827 SQUARE FOOT STRUCTURE, AND BOTH THE LOCATION HERE IS IN THE FLOOD PLAIN OF THE HANCOCK BRANCH OF SHOAL CREEK. CAN YOU JUST ADVANCE, PLEASE? THIS IS THE MAP SHOWING THE LOCATION NORTH OF HOUSTON STREET ON JIM HOGG AVENUE ALONG THE HANCOCK BRANCH OF SHOAL CREEK. NEXT SLIDE, PLEASE. ZOOMING IN, THE YELLOW SQUARE OR YELLOW RECTANGLE INDICATES THE LOCATION OF THE PROPOSED STRUCTURE. THIS IS WITHIN BOTH THE 25 AND 100-YEAR FLOOD PLAINS. NEXT SLIDE, PLEASE. THIS IS THE EXISTING STRUCTURE AND AS YOU CAN SEE IT'S IN PRETTY BAD SHAPE AND REPLACEMENT OF THIS WOULD REALLY BE IN THE BEST INTEREST OF BOTH THE OWNER AND THE NEIGHBORHOOD. NEXT SLIDE, PLEASE. STAFF IS RECOMMENDING APPROVAL OF THIS VARIANCE BASED ON THREE MAJOR FINDINGS. THE ACCESS IS FEASIBLE DURING HIGH WATER EVENTS. WATER WOULD BE ABOUT A FOOT DEEP AT THE CURB LINE AND WOULD JUST HAVE TO BE ACCESSIBLE DURING A 100-YEAR EVENT BY OUR FIRST RESPONDERS, SAFETY RESPONDERS. FINISHED FLOOR ELEVATION WILL BE ABOVE OUR MINIMUM REQUIREMENT OF ONE FOOT ABOVE THE 100-YEAR FLOOD PLAIN. AND THE NEW CONSTRUCTION WILL BE ON PIER SO IT WILL REDUCE THE IMPACT ON THE FLOOD PLAIN SO BASICALLY IT IS MAKING THE FLOOD PLAIN CONDITIONS BETTER. BASED ON THOSE THREE FINDINGS, WE'RE RECOMMENDING APPROVAL. I'LL TAKE ANY QUESTIONS YOU MAY HAVE.

Mayor Wynn: THANK YOU, MR. OZWALT, AND MERRY CHRISTMAS TO YOU AS WELL. WE HAVE ONE SPEAKER HERE. LET'S SEE, MATT McCORMACK IS HERE TO TESTIFY IN FAVOR OF THIS VARIANCE. WELCOME. YOU WILL HAVE THREE MINUTES.

MY NAME IS MATT McCORMACK AND I'M HERE REPRESENTING THE OWNERS OF 5607 JIM HOGG AVENUE. THE CURRENT OWNER RECEIVED A NOTICE OF VIOLATION BETTER FROM THE CITY OF AUSTIN SOLID WASTE SERVICES DEPARTMENT AND IN IT THERE ARE VARIOUS STRUCTURAL

AND SAFETY VIOLATIONS THEY BROUGHT UP AND THE LETTER WAS REQUIRING THE OWNER TO REPAIR THE RESIDENCE WITHIN 60 DAYS. IT NOTED THAT FAILURE TO DO SO COULD RESULT IN CRIMINAL CHARGES AGAINST THE OWNER. SO THE CONDITION OF THE STRUCTURE, AT YOU NOTED, IS BEYOND REMODEL AND NEEDS TO BE REMOVED AND THAT'S WHY I'M HERE. I JUST WANTED TO ADD THAT.

Mayor Wynn: THANK YOU. QUESTIONS FOR MATT, COUNCIL, OR MR. OZOZWALT? THANK YOU, GENTLEMEN. THAT IS OUR ONLY SPEAKER SIGNED UP ON THIS ITEM. I'LL ENTERTAIN COMMENTS OR A MOTION. COUNCILMEMBER LEFFINGWELL.

Leffingwell: MAYOR, I AGREE WITH THE STAFF. I THINK THIS DEMOLISHING OF THE OLD HOUSE AND CONSTRUCTION OF THE NEW ONE ON PIER ACTUALLY IMPROVES THE SITUATION WITH REGARD TO FLOODING SO I WOULD MOVE APPROVAL OF THE REQUESTED VARIANCE. CLOSE THE PUBLIC HEARING ALSO.

Mayor Wynn: MOTION BY COUNCILMEMBER LEFFINGWELL, SECONDED BY THE MAYOR PRO TEM TO CLOSE THE PUBLIC HEARING AND APPROVE THIS VARIANCE, STAFF RECOMMENDATION. ALL IN FAVOR --

Leffingwell: AND MERRY CHRISTMAS.

Mayor Wynn: FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION TO APPROVE THE VARIANCE PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER McCRACKEN OFF THE DAIS. THERE BEING NO MORE BUSINESS BEFORE THE AUSTIN CITY COUNCIL, WE STAND ADJOURNED. IT IS 8:01 P.M.

End of Council Session Closed Caption Log